

Attachments

Attachment List

1. Letter from Denver Public Schools Office of the General Counsel to Vice President of the Schools and Libraries Division of USAC (Sept. 25, 2015)
2. DPS Form 470 (FY 2011)
3. DPS Form 470 (FY 2012)
4. DPS Form 470 (FY 2013)
5. FY 2011
 - A. USAC Funding Commitment Decision Letters for FRN 2173158 (May 24, 2018); DPS Letter of Appeal for FY 2011 FRN (July 23, 2018); USAC Administrator's Decisions on Appeal (Aug. 20, 2018)
 - B. USAC Funding Commitment Decision Letters for FRN 2173316 (May 24, 2018); DPS Letter of Appeal for FY 2011 FRNs (July 23, 2018); USAC Administrator's Decisions on Appeal (Aug. 20, 2018)
 - C. USAC Funding Commitment Decision Letters for FRN 2173438 (May 24, 2018); DPS Letter of Appeal for FY 2011 FRNs (July 23, 2018); USAC Administrator's Decisions on Appeal (Aug. 20, 2018)
 - D. USAC Funding Commitment Decision Letters for FRN 2114845 (May 24, 2018); DPS Letter of Appeal for FY 2011 FRNs (July 23, 2018); USAC Administrator's Decisions on Appeal (Aug. 20, 2018)
6. FY 2012 USAC Funding Commitment Decision Letter for FRN 2287057 (May 29, 2018); DPS Letter of Appeal for FY 2012 FRN (July 26, 2018); USAC Administrator's Decision on Appeal (Aug. 20, 2018)
7. FY 2013
 - A. FY 2013 USAC Funding Commitment Decision Letters for FRNs 2399580 (May 31, 2018); DPS Letter of Appeal for FY 2011 FRN (July 26, 2018); USAC Administrator's Decision on Appeal (Aug. 20, 2018)
 - B. FY 2013 USAC Funding Commitment Decision Letters for FRNs 2400707 (May 31, 2018); DPS Letter of Appeal for FY 2011 FRN (July 26, 2018); USAC Administrator's Decision on Appeal (Aug. 20, 2018)
 - C. FY 2013 USAC Funding Commitment Decision Letters for FRNs 2410602 (May 31, 2018); DPS Letter of Appeal for FY 2011 FRNs (July 26, 2018); USAC Administrator's Decision on Appeal (Aug. 20, 2018)
8. Project Zephyr Report by A&M (June 14, 2013)

9. Letter from Denver Public Schools Office to Associate General Counsel of the Universal Service Administrative Company (Feb. 26, 2013)

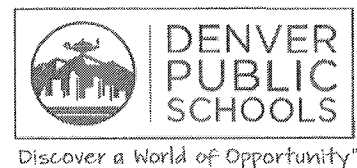
Attachment 1

Denver Public Schools

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September 25, 2015

Mel Blackwell
Vice President, Schools and Libraries Division
Universal Service Administrative Company
2000 L Street N.W., Suite 200
Washington, DC 20036

Attention: Jeff Walsh, Manager of PIA Operations/Schools and Libraries

VIA: Email and USPS Certified Mail

Re: Response to Request for Information Regarding Denver Public Schools Participation in the E-rate Program

Dear Mr. Blackwell:

The Denver Public Schools hereby responds to the Universal Service Administrative Company ("USAC") letter of July 20, 2015. The District's written responses follow each USAC question and the documents requested are enclosed as Exhibits A through S. The District acknowledges the serious nature of USAC's inquiry and is committed to providing USAC with all of the information it seeks. The District believes strongly in its responsibility to fully comply with all FCC rules and regulations while also engaging in the best practices needed to ensure that its procurement of goods and services is accomplished through a fair, competitive, and transparent process.

As you recall, once the District learned of Mr. Bullard's potential improprieties, the District immediately conducted an internal investigation and placed Mr. Bullard on leave. Based on its findings, the District terminated his employment for cause and retained Alvarez & Marsal Global Forensic and Dispute Services, LLC ("A&M") to fully investigate the situation and to provide recommendations that would strengthen the District's procurement process. Since

receiving the A&M Report, the District has fully implemented the recommendations in the report and implemented additional safeguards in the procurement process. In some cases, the District has gone beyond the recommendations to ensure that DPS is employing best practices. For assistance with legal matters related to the FCC, including E-Rate compliance, the District retained and calls on outside counsel who has significant legal experience in this field. The District also retained CSM Central, Inc. ("CSM") as special advisors to assist with the day-to-day aspects of E-Rate compliance including the application, monitoring and reporting processes. For nearly two years now, the District has worked closely with CSM and its compliance program is now much stronger.

As I believe you will see through the following responses, the District is committed to maintaining a procurement process that is not only in full compliance with FCC rules and District policies, but is also built on best practices that will protect against potential fraud while delivering to the District the best value for its goods and services. If you have any questions or wish to discuss further, please let me know.

DPS Responses to USAC's Request for Information and Documentation

1. USAC received a heavily redacted public version of the Alvarez & Marsal Forensic Report ("A&M Report") and did not receive any of the attachments to the report. Please provide an un-redacted copy of the A&M report titled, "Project Zephyr: Report of Alvarez & Marsal Global Forensic and Dispute Services, LLC" dated June 14 2013 and copies of Attachments 1-46, including Attachments 40A and 40B.

A full copy of the A&M Report, with attachments 1-46 was submitted to USAC via electronic and US Mail on July 21, 2015. For convenience, the report and attachments is also included in this submission as **Exhibit A**.

2. The A&M Report was partially based on interviews with various DPS employees.

Please provide the dates of employment, position title and detailed description of responsibilities and duties for each of the following DPS employees. If no longer employed by DPS, please describe the employee's reason for leaving and date of departure:

- a) Bud Bullard; Vern Bullard; Mike Messick; Alex Sund; Kurt Grindeland; Craig Ramsey; Brad Yohe; Apola Swartz (or Pola Swartz?); Tim Bostwick; Robert Knight; Erran Willoughby; Robert Losinski; Wendy Scheidegger; Lorraine Olson; John Welter; Greg Birkett; Mark Lyons; Jerry Mozes; Steve Feierabend; Kipp Bently; David Howard; Jerry Clark; Jason Rand; James Allen; Scott Hatfield; Allen Halingstad; and Doug Bushnell.

Attached as **Exhibit B** is a table that provides the requested employment information.

Attached as **Exhibit C** is a compilation of the District's description of the responsibilities and duties for the employees listed above.

3. USAC is aware of allegations that Bud Bullard approached particular bidders and directed them to decrease their bid amount in return for a contract award. Please provide any correspondence between Bud Bullard and DPS vendors or DPS employees regarding this matter. Please explain how these actions are in keeping with the FCC's rule requirement that all applicants undertake a fair and open competitive bidding process free from conflicts of interest. Please also explain how these actions comply with DPS' s Policy DJG- Vendor Relations.

As part of its internal investigation, the District investigated allegations that ISC secured an RFP to provide firewall services to the District after re-submitting its proposal with a reduced price, while the other vendors, including MSN, were not given the opportunity to resubmit lower prices. The District's purchasing department confirmed that ISC's bid, along with the bid price of another vendor, were lowered after the negotiation process had concluded. The investigation also revealed that none of the competing vendors protested the award to ISC. *See* A&M Report, Attachment 1 ("Barnes Report") at 7. These allegations were raised to A&M, but A&M did not make any related findings of misconduct by Mr. Bullard with regard to this award. Indeed,

A&M reported no instances where a vendor was provided an unfair opportunity to reduce its bid so that it could secure an RFP award.

If Mr. Bullard provided ISC, or any other vendor, with an improper opportunity to reduce its bid in order to win an RFP, such a practice would be inconsistent with both E-Rate rules and the District's Board Policies. The District would not tolerate such a practice and this would have been an additional ground to support the District's termination of Mr. Bullard's employment for cause. With the additional oversight built into its RFP process, and with the involvement of CSM as E-Rate consultants, the District believes that its current process and safeguards would prevent a situation where one vendor is given an unfair opportunity to improve its bid so that it could win an RFP.

4. USAC is aware of allegations that DPS's employees, Bud Bullard and Alexander Sund, solicited and/or received gifts or things of value from vendors in exchange for awarding vendor contracts. Please provide any correspondence between Bud Bullard and/or Alexander Sund and DPS vendors or DPS employees regarding this matter. Please explain how these actions are in keeping with the FCC's rule requirement that prohibits an applicant or its employees from directly or indirectly soliciting or accepting any gift, gratuity, favor, entertainment, loan, or any other thing of value from a service provider participating in or seeking to participate in the schools and libraries universal service program. Please also explain how these actions comply with DPS's Policies DJG- Vendor Relations, GBEA- Staff Ethics/ Conflicts of Interest, and Policy GBEBEC - Gifts to and Solicitation by Staff. In addition, please provide the following information related to the relationship between Bud Bullard and ISC Corporation (ISC).

Both the District and the A&M investigations revealed that Mr. Bullard solicited and accepted gifts and things of value from vendors in violation of FCC rules and DPS policies. However, neither investigation found evidence that Mr. Bullard solicited or received those gifts in exchange for awarding vendor contracts. For example, A&M investigated two RFPs that were awarded to ISC and where Mr. Bullard led the evaluation team. In both cases, there was a team of DPS evaluators from different departments, including Mr. Bullard, who reviewed and scored

the proposals. In both cases, ISC received the highest scores from the full team of evaluators, based on cost and level of service. Removing Mr. Bullard's scores from those evaluations would not have resulted in a different outcome. Additionally, based on A&M's interviews with the evaluation team, none of those employees said that Mr. Bullard attempted to influence their scoring of the proposals. Accordingly, A&M found no evidence that Mr. Bullard improperly influenced the scoring of the proposals on these two projects.

Regardless, the District does not believe Mr. Bullard's acceptance of gifts and his relationships with vendors were consistent with either the FCC's rules or the District's policies that govern vendor relationships. Accordingly, the District terminated Mr. Bullard's employment because of his acceptance of those gifts and the appearance of impropriety caused by his relationships with vendors.

Both investigations also found that Mr. Sund accepted gifts from vendors in violation of FCC rules as well as DPS policies. However, for several reasons, the District did not terminate his employment. Mr. Bullard was Mr. Sund's direct supervisor. Based on the findings of both investigations, the District believes that Mr. Bullard created an environment that encouraged improper relationships with vendors, he was the lead actor responsible for the rule and policy violations, and he pressured Mr. Sund to develop improper relationships with vendors and to accept improper gifts. Moreover, in spite of the environment created by Mr. Bullard and the potential retaliation he could have faced from his supervisor, Mr. Sund voluntarily reported all of his actions and those of his supervisor. His reporting of concerns about Mr. Bullard led directly to the District's investigation of Mr. Bullard's actions and he served as the District's main source

of information about Mr. Bullard's actions. For those reasons, the District continues to employ Mr. Sund and considers him to be a whistleblower.

Because the District does not believe that either Mr. Bullard or Mr. Sund solicited or accepted gifts, or things of value, from vendors in exchange for the awarding of a contract, the District does not believe there is correspondence showing such activity. However, correspondence between Mr. Bullard, Mr. Sund and vendors regarding their relationship and acceptance of gifts is documented and provided in the A&M Report as well as the Barnes Report.

- a) The name(s) of the person(s) or entity responsible for financing Bud Bullard's participation in the April 29, 2010 Las Vegas golf outing sponsored by ISC. Please include parties responsible for the following expenses: Airfare to Las Vegas; hotel expenses in Las Vegas; green fees; meals; and any miscellaneous expenses associated with the April 29, 2010 Las Vegas golf outing.

The District has limited information regarding Mr. Bullard's participation in a golf outing in Las Vegas on April 29, 2010. The District's understanding of his participation in this event is limited to the email correspondence in the A&M Report at Attachment 10. According to the correspondence, it appears that ISC invited Mr. Bullard to participate in the golf outing, but it does not show whether he actually went on the golf outing, nor who paid for the associated expenses. DPS has no other information about who paid for the costs associated with the golf outing.

- b) The name(s) of the person(s) and/or entity responsible for financing Bud Bullard and/or Alexander Sund participation in the ISC customer appreciation golf tournament held on July 26, 2011.

The District's knowledge of an ISC customer appreciation golf tournament on July 26, 2011 is limited to email correspondence in the A&M Report at Attachment 9. The District has

no other information regarding this event. According to that correspondence, the event was called the "ISC Customer Appreciation Golf Tournament" and it was "Presented by ISC, CISCO, EMC, [and] VMWARE." The District has no information to confirm who was responsible for the costs associated with Mr. Bullard's participation in this event.

Mr. Sund did not participate in the July 26, 2011 golf tournament. He did not begin his employment with the District until August of 2012.

- c) The date and cost(s) of meals provided to Bud Bullard and/or Alexander Sund by ISC including, but not limited to, meals that took place at Governor's Park Tavern, The Tilted Kilt, The Yard House, Benny's, Del Frisco's, Elway's Steakhouse, Sushi Den and The Capital Grille.

The District believes that all the meals ISC provided to Mr. Bullard and/or Mr. Sund that can be documented are discussed in the A&M Report on pages 24 and 25, and in Attachments 11 through 19, as well as discussed in the Barnes Report on pages 3 through 5 and in its Exhibits 1 through 7. Although ISC may have provided additional meals to Mr. Bullard and Mr. Sund, at this time the District has no information to document any additional meals.

- d) Any correspondence or documentation related to Bud Bullard's purchase of a Ford Raptor Truck from Leonard Lane of ISC in 2011.

The District believes that all correspondence and documentation available to it regarding Mr. Bullard's purchase of a Ford Raptor Truck is discussed in the A&M Report at pages 26 through 28 and in its Attachments 20-23, and is discussed in the Barnes Report at page 5.

- e) A detailed description of gifts, services, tickets, travel, or things of value given to Bud Bullard and/or Alexander Sund and paid for by ISC or its employee(s) on September 24, 2011.

All information available to the District regarding Mr. Bullard's trip to the Wyoming/Nebraska football game on September 24, 2011 is included in the A&M Report at

pages 28 through 29, and in its Attachments 24 through 27. Based on this information, it appears that ISC chartered an airplane for a group of individuals, including Mr. Bullard and his wife, to fly to Wyoming to watch a football game. DPS has no evidence that Mr. Bullard reimbursed ISC for this flight.

Mr. Sund did not attend the trip to Wyoming on September 24, 2011. He did not begin his employment with the District until August of 2012.

- f) Documentation evidencing reimbursement for any gifts, services, tickets, travel, or things of value given to Bud Bullard and/or Alexander Sund and paid for by ISC or its employee(s) on September 24, 2011.

The District has no documentation ISC was reimbursed for the costs associated with Mr. Bullard's trip to Wyoming on September 24, 2011. After completing its investigation, and after receiving the A&M report, the District determined that it would not reimburse ISC for the gifts it and its employees gave to Mr. Bullard. Because ISC provided those gifts in violation of DPS Policies and E-rate rules, and so did with an apparent intent to benefit from its improper acts, the District suspended ISC as a vendor and forbid it from future business with the District for a period of at least four years. *See **Exhibit D***. Moreover, the District does not believe it would be appropriate to reimburse ISC for the costs of the gifts it improperly provided to Mr. Bullard.

5. USAC is aware that Bud Bullard's father and former DPS employee, Vern Bullard, worked for Avant Datacomm Solutions (Avant) on the same projects on which he formerly worked for DPS. Please provide all correspondence between Vern Bullard and Avant; Vern Bullard and Bud Bullard; and Vern Bullard and DPS. In addition, please provide the following information regarding Vern Bullard's employment with DPS:

The only correspondence the District has found between Vern Bullard to Avant is the document attached as **Exhibit E**. This document was found in a shared folder that houses telecommunications documents and is titled: "Dps-Vern questions." Based on the document's

meta-data properties, "Avant Datacomm Solutions" created the document in November of 2011. The District cannot verify, but believes that Avant submitted these questions to the District and Vern Bullard drafted responses that are shown in blue font. The District cannot confirm how, when, or whether Vern Bullard sent this document to Avant.

The District is continuing its search for additional records related to this request and will supplement its response if additional documents or information can be found.

- a) Dates of employment, title of position, the reasons for leaving DPS, the DPS employee responsible for his hire, and the names of all supervisors.

Vern Bullard was employed by DPS from April 2, 2001 until February 28, 2003, and then he was rehired on August 25, 2008 and left shortly thereafter, on October 31, 2008. According to the information available to the District, Bud Bullard hired his father in 2001 and in 2008. It is unclear to the District why Vern Bullard's employment with the District terminated in 2003. The District believes that he was terminated in 2008 because of the District's anti-nepotism policy. *See Barnes Report at 9.* Based on the information available, the District believes that Vern Bullard was supervised during his 2001 to 2003 employment by Gary Capps, Manager of the Telecommunications Group, who reported to Bud Bullard. In 2008, the District believes that Vern Bullard was either supervised directly by Bud Bullard, because the Manager of Telecommunications Group position was vacant at the time, or was supervised by the Chief Information Officer, Tom Stevens. *See id.*

The District is looking for additional documents and information regarding Vern Bullard's employment and will supplement its response if it locates additional information.

- b) A detailed description of Vern Bullard's duties and responsibilities including, but not limited to, any assignments, projects, or team associations.

During both periods of employment, Vern Bullard was a member of the Telecommunications Group which was within the Chief Information Officer's team. Based on the information available to the District, during his 2001 to 2003 employment, Vern Bullard was responsible for overseeing the installation of data cabling in schools, and he helped design the data cable network architecture. During his employment in 2008, Vern Bullard had similar responsibilities for overseeing data cable installation. During both periods of employment, the District believes that Avant was one of the vendors whose installation Vern oversaw.

- c) A detailed description of Vern Bullard's relationship with Avant in the E-rate competitive bidding process.

Other than Exhibit E, which apparently shows that Vern Bullard responded to bidding questions from Avant, the District has no reason to believe that Vern Bullard, while an employee of the District, had any relationship with Avant in the context of the District's E-Rate competitive bidding process. Based on the information available, the District does not believe Vern Bullard ever drafted RFP documents or evaluated RFP responses. The District believes that Vern Bullard's responsibilities in 2001 and 2008 were limited to overseeing the installation of data cabling and to assisting with the development of network architecture plans.

The District has no information about whether Vern Bullard, as an employee of Avant, participated in Avant's E-rate bidding process.

- d) A detailed description of the of the management relationship between Bud Bullard and Vern Bullard during Vern Bullard's employment with DPS.

Based on the information available to the District, during his 2001 to 2003 employment, Vern Bullard reported to Gary Capps, who reported to Bud Bullard. During 2008, it appears that

Vern Bullard reported to either Bud Bullard or the Chief Information Officer, Tom Stevens. *See Barnes Report at 9.*

6. USAC is aware that Bud Bullard is now working for Advanced Network Management Inc. (ANM) following his discharge from DPS. Please describe any prior or existing relationship between DPS and ANM. Please provide any correspondence between DPS employees and ANM employees, including any correspondence between Bud Bullard and DPS.

On May 5, 2015, Advanced Network Management, Inc. (“ANM”) submitted a response to the District’s Request for Proposal BD1721 Local Area Network Equipment. Prior to this submission, ANM had never performed work for the District nor bid on any DPS work. As part of its submission, ANM indicated that Bud Bullard was its Chief Operations Officer. Because of the circumstances that led to Mr. Bullard’s termination from the District and his leadership role at ANM, the District’s Strategic Sourcing Department rejected the proposal as not being a “Responsible Bid.” *See **Exhibit F**.*

On August 4, ANM sent an e-mail communication to DPS notifying the District that Bud Bullard was no longer an employee of ANM. In the message, ANM requested that the District consider it for future work. Because the District has confirmed that Mr. Bullard is no longer affiliated with ANM in any capacity, the District will consider ANM for future work based upon their qualifications and submission in response to an RFP. *Id.*

7. USAC is aware that Panduit Corporation paid for Bud Bullard and at least one other DPS employee to fly to its demonstration facility located in Tinley Park, IL on February 4-5, 2013, and that Bud Bullard did not request the invoices for expenses until after he had been suspended by DPS. Please provide the following information:
 - a) DPS records, correspondence, and expense reports relating to Bud Bullard's trip to Panduit Corporation facilities on or around February 4-5, 2013.

The information available to the District related to this request is discussed in the A&M Report at pages 32 through 33, the Barnes Report at 4, as well as **Exhibit G** attached hereto. The District is continuing its search for additional records related to this request and will supplement its response if additional documents or information can be found.

- b) The name(s) of DPS employees who participated in the February 2013 trip to Panduit's facilities and the documented reason for such trip.

Mr. Bullard and Mr. Sund attended the trip to the Panduit facility. Based on the information available to the District, the purpose of the trip was to give Panduit an opportunity to make a product and services presentation to the District and Mr. Bullard wanted to discuss pricing expectations.

- a) Any contracts entered into between DPS and Panduit Corporation or any of its affiliates or subsidiaries and the associated FRNs.

The District awarded a contract to Graybar in 2010 and its associated FRN is 2003292. The District has not been able to locate a contract or acceptance letter, but the award letter is included in **Exhibit H**.

8. USAC is aware that DPS received a five-year warranty from MSN Communications (MSN) after Bud Bullard negotiated with MSN. Please provide all DPS correspondence and documentation regarding this matter. Please explain how this warranty does not violate FCC Rules regarding multi-year warranties.

DPS is aware that a bid cannot include a multi-year warranty that exceeds three years and that any warranty cannot have a cost associated with it. DPS entered into a contract with MSN that apparently included a 5-year warranty in 2010. However, the District has not been able to locate any documents or correspondence that would confirm that it received the warranty or that describe whether the warranty had a cost associated with it. The District contacted the vendor and it could not locate documentation in its files either.

If the District received the warranty, then this was an inadvertent violation of the E-Rate rule prohibiting a warranty of greater than 3 years. At this point, DPS understands and fully complies with the prohibition against warranties greater than 3 years and knows of no other warranties that would violate this rule. The District is confident that its process safeguards, the additional training provided to its staff, and the assistance it receives from CSM, will enable it to remain fully compliant with this rule.

The District is looking for correspondence and additional information regarding this request and will supplement its response if it locates any additional information.

9. USAC is aware that Cisco brings lunch to DPS employees on a consistent basis. Please provide all DPS correspondence and documentation regarding meals provided to DPS by Cisco employees. Please explain how such meals do not violate FCC rules that prohibit an applicant or its employees from directly or indirectly soliciting or accepting any gift, gratuity, favor, entertainment, loan, or any other thing of value from a service provider participating in or seeking to participate in the schools and libraries universal service program.

The District trains its employees regarding the DPS policy prohibiting gifts of more than nominal value and the E-Rate program's gift restriction of \$20 per event and \$50 in aggregate allowable value per funding year set forth in §54.503(d)(1).

Prior to Mr. Bullard's termination for cause, Cisco provided several "lunch and learn" events for District employees. DPS believes these lunch sessions were an opportunity for CISCO to provide product training to District employees. This practice was halted after Mr. Bullard's termination and the District does not believe any further lunches have been provided by vendors. See **Exhibit I**.

Questions regarding the A&M Report Recommendations

The A&M Report included recommendations designed to establish transparency and consistency during the solicitation, bid, and evaluation process, with a focus on training and awareness for all

employees involved in the procurement process. In order to ensure that DPS considered these recommendations, please respond to the following questions:

1. USAC is aware that DPS has failed to retain documentation of the bidding evaluation process. Please describe DPS's policies and procedures for compliance with the FCC's 5 year document retention rules as found in 47 C.F.R. 54.516(a), which include retention policies for the following categories of documents:
 - a) Documents related to the application for, receipt, and delivery of discounted telecommunications and other supported services
 - b) Any documents demonstrating compliance with the statutory or regulatory requirements for the schools and libraries mechanism
 - c) Asset and inventory records of equipment purchased as components of supported internal connections services sufficient to verify the actual location of such equipment.

Prior to the investigation into Mr. Bullard's activities and the resulting A&M Report, the District had no formal document retention policy related to E-Rate documentation. The Strategic Sourcing Department and the Department of Technology Services ("DoTS") each maintained hard-copy files for E-Rate RFPs, however, these copies were not consistently maintained.

The District has now adopted a document retention policy, EHB, that requires RFPs and other solicitations for competitive bids to be preserved for at least 6 years. The District's Policy EHB also requires that documents be retained in accordance with state and/or federal law.

Following the A&M Report, the Strategic Sourcing Department changed its practice so that all RFP documents are retained electronically in separate files on a dedicated network drive. The lead buyer from the Strategic Sourcing department who is responsible for the RFP creates the electronic folder and is responsible for retaining copies of all documents associated with that RFP. The retained documents include the RFP, responses to the RFP, RFP addenda, pricing matrices, evaluation score cards, executive summaries, awards, protests, and any other miscellaneous related documents. Because these documents are being stored electronically, the District has the capability to, and will, retain them for an indefinite period of time. The District

believes that the Strategic Sourcing Department's archival process and system is compliant with E-Rate's five year document retention rule.

In addition to the Strategic Sourcing Department's archiving process, the Department of Technology is also now retaining electronic documentation related to the District's applications for, and use of, E-Rate funds. Prior to the A&M Report, DoTS kept hard-copy files related to the use of E-Rate funds. Now, the E-Rate Program Manager works with the Accounts Payable department to ensure that all invoices and proof of payments are electronically stored in either the DoTS network drive or an Accounts Payable file. The E-Rate Program Manager also retains electronic copies of all USAC forms, correspondence, and documents that track products purchased with E-Rate funds. The E-Rate Program Manager maintains documentation sufficient to verify the location of all equipment purchased as components of supported internal connections. Because E-Rate documentation is currently being retained in three different locations, the District is working to create a single repository that will hold all E-Rate related documents.

2. Please explain whether DPS has standardized scoring based on USAC's sample points-based bid evaluation matrix. To the extent that DPS has not, please explain how DPS will ensure that its scoring methodology is standardized in a way that ensures compliance with FCC rules requiring that price is the primary factor in evaluating bids.

For all E-Rate reimbursed purchases, and all other competitively bid purchases, the District uses a standard scoring matrix that is based on USAC's point-based evaluation matrix. Just as in USAC's matrix, the District's scoring matrix rates vendors based on how well they meet each scoring criteria. For each RFP, the evaluation team who will judge the RFP, in consultation with the Strategic Sourcing Department, determines the criteria and points that will be used to score each proposal.

If the purchase involves potential E-Rate funds, then the District's E-Rate Program Manager is responsible for ensuring that pricing for E-Rate reimbursable products and services is the most heavily weighted factor with the highest number of points. All such RFPs are also reviewed by the District's E-Rate consultant, CSM, to verify that the RFP and the scoring matrix meet all E-Rate requirements.

The scoring matrix established by the evaluation team is described in the RFP documents. If there are any ambiguities about the scoring matrix, vendors may ask the District for clarification. Once proposals are submitted, each member of the evaluation committee then uses the scoring matrix to evaluate the proposals. The evaluations are then submitted to Strategic Sourcing who compiles the results and determine which vendor won the bid. By using a scoring matrix that is based on USAC's matrix, the District ensures standardized and fair scoring of RFP proposals.

3. Please explain whether DPS has expanded E-rate compliance training to all bid evaluators in coordination with the DPS Purchasing Department. To the extent that DPS has not, please explain how DPS will ensure that E-rate compliance training is provided to all bid evaluators participating in the evaluation of E-rate contract bids.

DPS provides both formal and informal E-Rate training to District personnel who oversee the E-Rate RFP process, as well as to the E-Rate RFP evaluation committees. District staff representing the following departments: Strategic Sourcing, DoTS, Legal, Safety and Security, and Construction Services attended the Colorado Department of Education ("CDE") E-Rate trainings on April 24, 2013 and January 13, 2014. See **Exhibit J**. As part of its trainings, CDE provided updates on E-Rate rules and regulations, described best practices for purchasing and compliance, and offered resources that it makes available through its website. After large groups

of District staff attended these two trainings, the District has sent its E-Rate Program Manager and his supervisor, the Manager of Data Networks, to subsequent E-Rate trainings by the CDE.

In addition to the CDE trainings and resources, the District also provided an internal training to its staff regarding the competitive bidding process and associated ethical concerns. *See id.* The District also relies on its outside E-Rate adviser, CSM, to provide periodic trainings and on-going advice. CSM offers to its clients several trainings a year to cover particular E-Rate matters. The District's E-Rate Program Manager is in frequent discussions with CSM and has attended several webinar trainings provided by CSM. He confers with CSM regarding document retention and other compliance matters. At times, his collaboration with CSM even leads to dialogue directly with staff at the FCC and USAC regarding E-Rate compliance.

The Strategic Sourcing Department and E-Rate Program Manager also provide internal trainings to RFP evaluation committees. The Strategic Sourcing Department provides training to each evaluation committee that is focused on the District's competitive-bidding process. *See **Exhibit K***. For E-Rate RFPs, the E-Rate Program manager complements this training with information related to E-Rate rules that apply to the RFP process. Because the majority of the evaluators on E-Rate RFPs have attended formal and informal training with regard to the District's competitive bidding process and E-Rate, the District is confident that evaluation teams are meeting all applicable DPS and E-Rate requirements.

4. Please explain whether DPS has implemented a policy of holding internal meetings for contracts valued at more than \$5 million before the procurement process begins. To the extent that DPS has not, please explain how DPS will facilitate communication between the procurement office, the DoTS, and DPS's General Counsel office to ensure that any deviations from the usual procurement process are documented, FCC rules are followed, and any potential conflicts of interest are mitigated.

Although the District has not implemented a formal policy, it has implemented a practice of convening an internal pre-bid meeting to discuss all competitive bid contracts, including those with values greater than \$5million. At the District, all E-Rate reimbursable purchases, and all non-E-Rate purchases that exceed \$25,000, with certain exceptions for emergencies and professional services, are bid through a competitive process. To initiate the purchasing process, a department will work with their assigned buyer in the Strategic Sourcing Department to begin drafting an RFP. Once the description of the requested service or product is close to being finalized within the RFP, the department lead selects the District personnel who will serve as the evaluation committee. These individuals are selected based on their familiarity with the good or service to be purchased, as well as with the goal of building a cross-functional team so that different departments' opinions and recommendations are represented in the process.

Once the committee has been selected, the committee, department lead and the buyer from Strategic Sourcing convene a meeting to discuss the RFP. During the meeting, the committee and buyer set the schedule for the RFP, determine the scoring matrix that will be used to evaluate the bids, and finalize the RFP. It is during this meeting that Strategic Sourcing provides training on the District's competitive purchasing process. The Strategic Sourcing Department also requires each evaluation committee member to complete an RFP Evaluator Acknowledgment that they will participate in the full process, maintain the confidentiality of the process, and that they have no relationship with the vendor that might be construed as a conflict of interest. See **Exhibit L**.

If the RFP involves E-Rate funds, the department lead is the E-Rate Program Manager and he will oversee the development of the RFP, the selection of the evaluation committee, and

he will train the committee as it relates to governing E-Rate rules. This would include training the committee on the E-Rate pricing rule so that the price for the E-Rate reimbursable service or product is set to be the highest value scoring factor in their evaluation matrix.

The District believes this process facilitates strong communication between Strategic Sourcing and DoTS with regard to all E-Rate RFPs. Furthermore, on every E-Rate RFP, the E-Rate Program Manager consults with CSM to ensure compliance with all applicable E-Rate rules and regulations. Finally, to the extent needed, the Director of Strategic Sourcing works closely with the Office of General Counsel on any potential issue related to an RFP. For any peculiarity, potential conflict, or variance in the RFP process, the Director will work with the Office of General Counsel to ensure that the process and applicable rules and regulations are followed with fidelity.

5. Please explain whether DPS has established a channel for reporting conflicts of interest or procurement irregularities to the DPS Purchasing Department or Office of General Counsel. To the extent that DPS has not, please explain how DPS will facilitate official points of contact for any procurement-related questions, issues, or concerns without fear of retribution or retaliation.

While the majority of inquiries about potential conflicts of interests or other potential financial improprieties continue to be made through the District's Safety and Security Department or the Office of General Counsel, the District had been providing to its employees a human resource channel called "I-Sight" through which they could report issues involving District employees and vendors. This included criminal, unethical or otherwise inappropriate behaviors that violate District polity. District employees had access to I-Sight through the Human Resources Department and its website.

The District, however, wanted to provide a more effective district-wide fraud reporting system and is pleased to report that it rolled out a new system at the beginning of this school year. The District-wide announcement was made on September 10, 2015 introducing the IntegraReport service offered by BKD LLP. The new service provides District employees and community members with an opportunity to make anonymous reports about potential fraud, waste, or abuse of District property, assets, and resources. *See* BKD Integra Report, attached as **Exhibit M**. The service is available 24 hours a day, seven days a week through a dedicated website, www.integrareport.com. A report may also be made through a toll-free number. The District is in the process of adding hyperlinks to the reporting hotline on its main website as well as on the websites for the Strategic Sourcing Department and the Office of General Counsel. District employees can already access IntegraReport through an internal website.

The District believes those efforts have been worthwhile because the IntegraReport will fully meet all of its needs in addressing potential fraud, abuse, or unethical behavior.

Questions regarding DPS Competitive Bidding Process

1. Please describe DPS's process to develop, review, prepare and submit FCC Forms 470 and 471; the process used to develop, review and issue RFPs; and the process used to conduct competitive bidding processes including vendor selection for Funding Years 2009-2010. Include the name title, and description of responsibilities and duties for each individual involved in the competitive bidding process, formulating the technology plan, or the invoicing review and approval process for Funding Years 2009-2010. (Please the provided checklist when submitting the requested competitive bidding information- see Attachment 1.)

The District's DoTS department develops, reviews and submits FCC Forms 470 and 471. Prior to finalizing and submitting the forms, the District's E-Rate Program Manager consults with CSM to discuss the forms. Once the forms are finalized, the District's Finance Department reviews and confirms the information and documentation in the form. After confirmation by the

Finance Department, the District's Chief Financial Officer executes the form on behalf of the District so that it can be submitted to USAC through its website. All DPS documentation is now reviewed and approved by the DPS Department of Finance.

Applications reference either a previous 470 or the current 470 associated with services contracts. After the application is received and reviewed, USAC sends a Receipt Acknowledgement Letter highlighting the application details and DPS has an opportunity to make any necessary changes. DPS then receives a Funding Commitment Letter, which confirms that the requested reimbursement amount will be remitted.

With regard to the RFP process, all E-Rate reimbursable purchases, and all non-E-rate purchases that exceed \$25,000, with certain exceptions for emergencies and professional services, are bid through a competitive process. To initiate the purchasing process, a department will work with their assigned buyer in the Strategic Sourcing Department to begin drafting either an RFP or a request for BIDs. If a request for BID is issued, then the process is relatively straightforward because the vendor with the lowest responsive bid is awarded the contract. When an RFP is used for the purchase, then Strategic Sourcing works with the department making the purchase to describe the requested product or service. Once the description is near finalized and inserted into the District's RFP template, the department lead selects the District personnel who will serve as the evaluation committee. These individuals are selected based on their familiarity with the good or service to be purchased, as well as with the goal of building a cross-functional team so that different departments' opinions and recommendations are represented in the process.

Once the evaluation committee has been selected, the committee, department lead and the buyer from Strategic Sourcing convene a meeting to discuss the RFP. During the meeting, the committee and buyer set the schedule for the RFP, determine the scoring matrix that will be used to evaluate the bids, and finalize the RFP. It is during this meeting that Strategic Sourcing provides training on the District's competitive purchasing process. The Strategic Sourcing Department also requires each evaluation committee member to complete an RFP Evaluator Acknowledgment that they will participate in the full process, maintain the confidentiality of the process, and that they have no relationship with the vendor that might be construed as a conflict of interest. See **Exhibit L**.

If the RFP involves E-Rate funds, the department lead is the E-Rate Program Manager and he will oversee the development of the RFP, the selection of the evaluation committee, and he will train the committee as it relates to governing E-Rate rules. This would include training the committee on the E-Rate pricing rule so that price for the E-Rate reimbursable product or service is set to be the highest value scoring factor in their evaluation matrix. Furthermore, on every E-Rate RFP, the E-Rate Program Manager consults with CSM to ensure compliance with all applicable E-Rate rules and regulations. Finally, to the extent needed, the Director of Strategic Sourcing works closely with the Office of General Counsel on any potential issue related to an RFP. For any peculiarity, potential conflict, or variance in the RFP process, the Director will work with the Office of General Counsel to ensure that the process and applicable rules and regulations are followed with fidelity.

With regard to the 2009-10 time period, the District used a competitive bidding process that followed typical industry standards at the time. However, the District has since learned of

gaps in that process as a result of the investigation into Mr. Bullard's activities and it has adopted significantly greater checks and controls over its RFP. Namely, the District now formally trains RFP evaluation teams about the competitive bidding process and each evaluation team member must acknowledge that they have no potential conflict of interest and that they understand and will maintain the competitive and confidential nature of the process. Additionally, with regard to E-Rate RFPs, the District's E-Rate Program Manager oversees these purchases and confers with outside E-Rate advisors, CSM, to ensure that all E-Rate policies and rules are met. The District also now requires formal and on-going E-Rate training for its personnel who are responsible for E-Rate purchases and compliance.

Based on the documentation currently available, the following individuals from the Purchasing Department were involved in the competitive bidding process for Funding Years 2009-2010.

Name	Title	Description of Responsibilities
Mike Thomas	Director of Purchasing	Responsible for supervising and overseeing all of the District's purchases goods and services. Responsibilities included oversight of purchasing policies and procedures, hearing RFP protests, as well as accepting recommendations from RFP evaluation committees and awarding contracts based on their recommendations.
Patrick Scanlon	Manager of Purchasing	Responsible for the District's purchases of furniture and human resources relates services and responsible for supporting various departments with their purchasing needs. Reported to the Director of Purchasing and supervised buyers of professional services, audio visual and miscellaneous commodities that support equipment and services.
Wendy Scheidegger	Manager of Purchasing	Responsible for the District's purchases of technology and responsible for supporting various departments with their purchasing

		needs. Reported to the Director of Purchasing and supervised buyers of software, temporary labor services and transportation equipment and services.
Gloria James	District Buyer II	Responsible for analyzing the market for professional services and athletics, and responsible for assisting various departments with their purchasing needs. Reported to one of the department's Managers of Purchasing.

Based on the documentation currently available, the following individuals from the Department of Technology Services were involved in the competitive bidding process for Funding Years 2009-2010:

Name	Title	Description of Responsibilities
Bud Bullard	Director of Technology Systems	Managed the installation and support of mainframe systems software and data base management systems to achieve the most efficient utilization of available computer resources. Managed the daily operations and the District's Voice/Data Telecommunications Network. Coordinates moves, adds, and changes to our system, evaluating all requests for new service, and approval of telephone bills
Greg Burkett	Manager of Database Systems Administrator	Ensured the maintenance and administration of database management systems which provides DPS with orderly methods of data storage and controlled access to data. Provided technical leadership and direction to the DBA's, System Administrators, and computer operations support.
John Welter	Manager of Database Systems Administrator	Ensured the maintenance and administration of database management systems which provides DPS with orderly methods of data storage and controlled access to data. Provided technical leadership and direction to the DBA's, System Administrators, and computer operations support.
Kirk Anderson	Site Support Manager	Provided IT users with desktop equipment and support, determining user needs and

		incorporating them into the design and overall plan for desktop support. The range of accountabilities minimally covers hardware and software planning, vendor selection, acquisition, Tier 2 problem resolution, set-up, integration, testing and installation.
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Based on the documentation currently available, the following individual was responsible for formulating the technology plan in Funding Years 2009-2010:

Name	Title	Description of Responsibilities
Kipp Bentley	Director of Educational Technology	The Educational Technology Director has the responsibility for providing district-wide leadership on the best practice uses of classroom technology tools and resources. The Director collaborates with central and site leaders and staff in all matters related to the instructional applications of technology. The Director manages the Educational Technology Department and budget and supervises staff, in close collaboration with the Director of Library Services, to ensure the joint vision and mission are realized for the larger co-joined Educational Technology and Library Services Department.

2. For all contracts entered into between DPS and E-rate program vendors from FY 2009 through 2010, please provide the following documentation, which should be provided by funding request number (FRN) unless otherwise indicated. In the event that a document applies to multiple FRNs, simply indicate on the first page of the document which FRN(s) is supported by the document. If for any reason you do not have any of the documentation requested below, you must provide a complete explanation for why it is missing. If contracts cover multiple years, please indicate all of the FRNs supported by the competitive bidding documentation.

a) Technology Plan

- i. Provide a copy of the written technology plan that covers Funding Years 2009-2012 that supports and validates the services requested on your applications for these funding years, and that was in place at the time you filed your Form(s) 470 for these funding requests.

The technology plan is attached as **Exhibit N**.

b) Contracts and/or other agreements

- ii. Signed and dated copies of any and all agreements related to each of the FCC Form 471 funding request(s), including any and all contracts, agreements, Statements of Work, etc. (Note: copies of State Master Contracts are not required if they have already been submitted to USAC. Please also indicate if the State Master Contract is available on a website. Please provide the specific contract name and number and the agency that administers the contract.)

The District is providing a spreadsheet summarizing the bids for fiscal years 2009-2010 as **Exhibit O**. All responsive documents that are available to the District are provided in **Exhibits P, Q, R, and S**. In addition, bid documents for BD1238 and BD1317 were previously produced to USAC as part of a special compliance review.

There were three month-to-month projects, for which DPS cannot locate any documentation. These projects are as follows:

1890078	MTM	Nextel	Cell Phone Service
1873641	MTM	Verizon	Cell Phone Service
1815318	MTM	USA Mobility Wireless, Inc.	Paging service

The District has improved its document retention practices and does now retain documentation in accordance with e-rate rules for all RFPs for month-to-month services covered by the E-Rate.

BD1017 also relates to the District's Form 471 funding requests between 2009-12, however, the District has not been able to locate documentation for that RFP. The District believes that the RFP and contract were signed in the 2003 to 2005 time-frame.

c) Requests for Proposal (RFP)

- iii. Copies of any and all requests for proposals (RFPs), invitations to bid, requests for bids, or other documentation of bid requests for services and/or products requested, or other solicitations in any way associated with the applicant's funding request(s) and/or the selection of the service provider(s) that appear(s) on the applicant's funding request(s). Be sure to include any and all amendments made to the original RFP. All RFPs

should indicate when they were first made available to service providers, i.e., release and posting date as well as the due date for which bids must be submitted. If you issued any addendums to the RFP, please provide a copy of that addendum.

The District is providing a spreadsheet summarizing the bids for fiscal years 2009-2010 as **Exhibit O**. All responsive documents that are available to the District are provided in

Exhibits P, Q, R, and S.

d) Bid Responses

- iv. Indicate the number of bids/proposals received for all funding requests and provide complete copies of any and all proposals, bid responses, etc., received in response to the FCC Form 470, and/or any RFP, or other solicitation in any way associated with the applicant's funding request and/or with the selection of the service provider that appears on the applicant's funding requests. This information should be provided for all funding requests including tariff, month-to-month and contracted services.

BD # 1238: 3 bids received, documents attached as Ex. P, DPS EXHIBIT P – 000001 through DPS EXHIBIT P – 000198.

BD # 1317: 3 bids received, documents attached as Ex. P, DPS EXHIBIT P – 000199 through DPS EXHIBIT P – 000527.

BD # 1112: 2 bids received, documents attached as Ex. P, DPS EXHIBIT P – 000528 through DPS EXHIBIT P – 001007.

BD # 1183: 1 bid received, documents attached as Ex. P, DPS EXHIBIT P – 001008 through DPS EXHIBIT P – 001210.

BD # 1185: 2 bids received, documents attached as Ex. P, DPS EXHIBIT P – 001211 through DPS EXHIBIT P – 001790.

BD # 1237: 5 bids received, documents attached as Ex. P, DPS EXHIBIT P – 001791 through DPS EXHIBIT P – 002109.

BD # 1396: 5 bids received, documents attached as Ex. Q, DPS EXHIBIT Q – 000001 through DPS EXHIBIT Q – 000530.

BD # 1379: 5 bids received, documents attached as Ex. R, DPS EXHIBIT I – 000001 through DPS EXHIBIT R – 007414.

BD # 1385: 8 bids received, documents attached as Ex. S, DPS EXHIBIT S 000001– 004323.

With regard to the three month-to-month projects, the District has not located any documentation for those projects, and therefore cannot provide information about the number of bids/proposals received for those projects.

e) Vendor Selection Process

- v. Please provide your bid evaluation matrix that was used to select your vendor. Include all bids that you received and any other bid documentation such as attendance sheets, correspondences to and from the bidding vendor and a description of your bid evaluation process.

BD # 1238: scoring matrix available at Ex. P at 000016.

BD # 1317: scoring matrix available at Ex. P at 000212.

BD # 1112: scoring matrix available at Ex. P at 000531.

BD # 1183: scoring matrix available at Ex. P at 001011.

BD # 1185: scoring matrix available at Ex. P at 001218.

BD # 1237: scoring matrix available at Ex. P at 001827-1828.

BD # 1396: scoring matrix available at Ex. Q at 000142 and 000143.

BD # 1379: scoring matrix available at Ex. R at 004175.

BD # 1385: scoring matrix available at Ex. S at 004175 - 004180.

f) Correspondence

- vi.) Provide a copy of all correspondence between DPS and DPS's service providers regarding the competitive bidding process and the application process for each of the FRNs.

Any and all correspondence between DPS and service providers related to the FRNs that are the subject of this request are included in **Exhibits P, Q, R, and S.**

3. USAC is aware that, on at least one instance, DPS weighted “price” equally with “design & solution” in evaluating bids for and E-rate Contract in violation of FCC Rules. Please provide the following information:

- a) All documents associated with BD 1396 including correspondence, evaluation results, name(s) of person(s) responsible for evaluation of bids in each round, the final awarded bid amount, and the next lowest bid amount.

Any and all documents related to BD 1396 are included as **Exhibit Q**.

- b) An explanation of the reasoning and/or justification for weighing price equally with design & solution in evaluating BD 1396.

Based on the information available to the District, the Department of Technology Services set the scoring matrix for BD1396 so that price was weighted equally with design and solution. The District believes that these factors were set equally because the personnel who created the scoring matrix were not properly trained on the E-Rate rule requiring that the price of E-Rate reimbursable products and services is the highest valued criteria in an E-Rate RFP. The District now trains its employees on all E-Rate rules, including the rule regarding the price factor, and consults with CSM on E-Rate RFPs, to ensure full compliance with this and other E-Rate rules.

- c) A complete list of instances where DPS weighted price equally with design & solution during bid evaluation for E-rate contracts. Please include, for each instance, the bid number (BD xxxx), funding year, name(s) of person(s) responsible for evaluation of that bid, and any DPS correspondence regarding such bid(s).

Based on the information available to the District, it does not believe that there were any other instances where the price of E-Rate reimbursable products and services was not the most highly valued factor in an E-Rate RFP.

4. USAC is aware that DPS employee(s) altered the scoring methodology for bid evaluation on at least one occasion. Please provide the following information:

- a) DPS's standard scoring methodology for bid evaluation including method for selecting bid evaluators, criteria used for evaluation, any variances in the criteria used and an explanation for such variances.

The Strategic Sourcing Department requires that all evaluation committees use score sheets for RFPs issued by the District. In the creation of an RFP document, DPS identifies

scoring criteria and publishes it (within an RFP document) on the DPS website so vendors are aware of how they will be evaluated. While the criteria may change based on the different procurements (RFPs), DPS still evaluates and scores each RFP according to the description provided in the RFP. The committee uses score sheets that are the same format throughout an RFP. For all E-rate RFPs, DPS employees are trained and acknowledge that pricing for the E-Rate reimbursable products and services needs to be the primary (highest) category in the criteria. Training for the evaluators (on how to use the score sheets) occurs during the RFP process and is conducted by the Strategic Sourcing representative who is facilitating the RFP.

The evaluation team is made up of individuals who are familiar with the good or service to be purchased, as well as with District employees from other departments so that different viewpoints can be represented in the process. A cross-functional team is encouraged so different department's opinions and recommendations are represented. In some instances where the purchase is specific to a department, that evaluation team will consist of mainly that department's team members. Guidance for the evaluation criteria is provided by the Purchasing department; however, it is ultimately up to the business owners to make the final decision on what the categories and associated weights will be.

- b) A list of instances, including dates, bid numbers, funding years, and employee names, where DPS's scoring methodology was altered for any reason and an explanation of why the scoring methodology was altered.

Other than the alteration of scoring methodology described on pages 36-27 of the A&M Report, the District has no knowledge of any other RFP awards that were issued based on scoring methodology that had been altered during the RFP process.

- c) An explanation of policies, procedure, or efforts made by DPS to ensure continuity of bid evaluation teams.

For each RFP, a DPS Purchasing and Strategic Sourcing team member is assigned to inform the evaluation team of the process and the evaluation team's responsibilities at an internal meeting that occurs prior to the RFP process being initiated. The DPS Purchasing and Strategic Sourcing team member informs potential evaluators that they must be able to score in both rounds of an RFP and, if they cannot, that the individual must withdraw from the process. If scheduling conflicts arise during the evaluation process, the Strategic Sourcing team is instructed to work around scheduling conflicts and wait for full availability of the team before proceeding. Since implementing this process, DPS has not had an issue as it relates to the continuity of bid evaluation team members. See Exhibit L.

5. USAC is aware that DPS awarded contracts to ISC after significantly increasing ISC's evaluation score between the first and second bidding rounds. Please provide the following information:

- a) All documents associated with BD 1379 including correspondence, evaluation results, name(s) of person(s) responsible for evaluation of bids in round 1, name(s) of person(s) responsible for evaluation of bids in round 2, the final awarded bid amount, and the next lowest bid amount, and an explanation of how evaluators scored ISC.

All documents responsive to this request that the District has been able to locate are attached as Exhibit R Part I & Part 2. According to information available to the District, the following employees evaluated the bids in round 1:

Bud Bullard
Kipp Bentley
David Howard
Greg Birkett
John Welter
Steve Feierabend
Pola Swartz
Robert Losinski
Mark Lyons
Wendy Scheidegger

Based on the information available to the District, the following employees evaluated the bids in round 2:

Mark Lyons
Wendy Scheidegger
Pola Swartz
John Welter
David Howard
Scott Hatfield
Allen Halingstad
Doug Bushnell
Steve Feierabend
Kipp Bentley
Robert Losinski

The documentation also identifies “Reviewer 1” as an additional evaluator for round 2. Based on the documentation available, the District is not able to identify Reviewer 1, but believes it is likely that Reviewer 1 was Mr. Bullard because he was an evaluator in Round 1.

The final award amount for BD 1379 was \$2,930,551 for ISC. The next lowest bid amount was \$3,428,937 by MSN. According to the information available to the District, the evaluators scored ISC’s proposal for BD 1379 according to the following criteria: Total points possible 100, criteria- pricing, design & Solution, vendor & mfg. experience/support & maintenance, installation & integration. The evaluation committee also scored ISC’s proposal as part of a bundled pricing offer with BD 1385, which provided the District discounted prices for the products and services requested in the two RFPs. *See **Exhibit R Part 2** at R – 003734 - 003735.*

- b) All documents associated with BD 1385 including correspondence, evaluation results, name(s) of person(s) responsible for evaluation of bids in round 1, name(s) of person(s) responsible for evaluation of bids in round 2, the final awarded bid amount, and the next lowest bid.

DPS Response to USAC
September 25, 2015
Page 33 of 33

All documents responsive to this request that the District has been able to locate are attached as Exhibit S. According to information available to the District, the following employees evaluated the bids in round 1:

Greg Birkett
Steve Feierabend
Robert Losinski
Mark Lyons
Pat Scanlon
Jerry Clark

Based on the information available to the District, the following employees evaluated the bids in round 2:

Greg Birkett
Steve Feierabend
Robert Losinski
Mark Lyons
Pat Scanlon
Jerry Clark

The final award amount for BD 1385 was \$9,717,622 to ISC. The next lowest bid amount was \$18,341,165 by MSN. According to the documentation available to the District, the evaluators scored ISC's proposal according to the criteria described in the score sheets.

I. Conclusion

DPS is committed to full compliance with FCC and E-Rate rules and regulations and is happy to work with USAC if it has additional questions or seeks additional information. Please do not hesitate to contact me or my office if we can be of further assistance.

Sincerely,



Alex Martinez
General Counsel
Denver Public Schools

Attachment 2

FCC Form

Approval by OMB
3060-0806**470**

Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications

Form 470 Application Number: 715350000884545		
Applicant's Form Identifier: 470-Yr14-11/12		
Application Status: CERTIFIED		
Posting Date: 01/10/2011		
Allowable Contract Date: 02/07/2011		
Certification Received Date: 01/10/2011		
1. Name of Applicant: DENVER SCHOOL DISTRICT 1		
2. Funding Year: 07/01/2011 - 06/30/2012		3. Your Entity Number 142154
4a. Applicant's Street Address, P.O.Box, or Route Number 900 GRANT STREET		
City DENVER	State CO	Zip Code 80203 - 2907
b. Telephone number (720) 423- 3200	ext.	c. Fax number (720) 423- 3444
5. Type Of Applicant		
<input type="radio"/> Individual School (individual public or non-public school) <input checked="" type="radio"/> School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools) <input type="radio"/> Library (including library system, library outlet/branch or library consortium as defined under LSTA) <input type="radio"/> Consortium (intermediate service agencies, states, state networks, special consortia of schools and/or libraries)		
6a. Contact Person's Name: Bud Bullard		
First, if the Contact Person's Street Address is the same as in Item 4 above, check this box. If not, please complete the entries for the Street Address below.		
6b. Street Address, P.O.Box, or Route Number 780 Grant St.		

City Denver	State CO	Zip Code 80203
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Check the box next to your preferred mode of contact and provide your contact information. One box MUST be checked and an entry provided.

☒ 6c. Telephone Number (720) 423- 3222

☐ 6d. Fax Number (720) 423- 3444

☒ 6e. E-mail Address **bud_bullard@dpsk12.org**

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):

a. ☐ Tariffed or month-to-month services to be provided without a written contract. A new Form 470 must be filed for non-contracted tariffed or month-to-month services for each funding year.

b. ☐ Services for which a new written contract is sought for the funding year in Item 2.
Check if you are seeking ☐ a multi-year contract ☐ a contract featuring voluntary extensions and/or

c. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous funding year.

NOTE: Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous funding year OR a contract signed on/before 7/10/97 and previously reported on a Form 470 as an existing contract do NOT require filing of a new Form 470.

What kinds of service are you seeking: Telecommunications Services, Internet Access, Internal Connections Other than Basic Maintenance, or Basic Maintenance of Internal Connections? Refer to the Eligible Services List at www.sl.universalservice.org for examples. Check the relevant category or categories (8, 9, 10 and/or 11 below), and answer the questions in each category you select.

8 ☒ Telecommunications Services

Do you have a Request for Proposal (RFP) that specifies the services you are seeking? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.

a. ☐ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b. ☒ NO, I have not released and do not intend to release an RFP for these services.

Whether you check YES or NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Telecommunications services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Attach additional lines if needed.

c. ☒ Check this box if you prefer discounts on your bill. ☐ Check this box if you prefer ☐ Check this box if you do not have a preference.

		reimbursement after paying your bill in full.	
Service or Function:		Quantity and/or Capacity:	
Digital Transmission Services		151 Sites	
Fiber or Dark Fiber		151 Sites	
Paging Service		680 Employees	
Telephone Service		151 Sites	
9 <input checked="" type="checkbox"/> Internet Access <i>Do you have a Request for Proposal (RFP) that specifies the services you are seeking? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.</i>			
a <input checked="" type="checkbox"/> YES , I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one): <input type="checkbox"/> the Contact Person in Item 6 or <input type="checkbox"/> the contact listed in Item 12.			
b <input checked="" type="checkbox"/> NO , I have not released and do not intend to release an RFP for these services.			
Whether you check YES or NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internet Access services. Attach additional lines if needed.			
c <input checked="" type="checkbox"/> Check this box if you prefer discounts on your bill.		<input checked="" type="checkbox"/> Check this box if you prefer reimbursement after paying your bill in full.	<input checked="" type="checkbox"/> Check this box if you do not have a preference.
Service or Function:		Quantity and/or Capacity:	
E-Mail Service		151 Centralized Support	
Internet Access		151 Centralized Support	
Web Hosting		151 Centralized Support	
Distance Learning and Video Conference		151 Centralized Support	
Other Eligible Internet Access Services		151 Centralized Support	
10 <input checked="" type="checkbox"/> Internal Connections Other than Basic Maintenance <i>Do you have a Request for Proposal (RFP) that specifies the services you are seeking? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.</i>			
a <input checked="" type="checkbox"/> YES , I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one): <input type="checkbox"/> the Contact Person in Item 6 or <input type="checkbox"/> the contact listed in Item 12.			
b <input checked="" type="checkbox"/> NO , I have not released and do not intend to release an RFP for these services.			
Whether you check YES or NO, you must list below the Internal Connections Services you seek. Specify each service or function (e.g., a router, hub and cabling) and quantity and/or capacity (e.g., connecting 1 classroom of 30 students). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internal Connections services. Attach additional lines if needed.			
c <input checked="" type="checkbox"/> Check this box if you prefer discounts on your bill.		<input checked="" type="checkbox"/> Check this box if you prefer reimbursement after paying your bill in full.	<input checked="" type="checkbox"/> Check this box if you do not have a preference.
Service or Function:		Quantity and/or Capacity:	
Cabling Connections		151 Sites	

Circuit Cards/Components	151 Sites
Data Distribution	151 Sites
Interfaces, Gateways Antennas	151 Sites
Servers	151 Sites
Software	151 Sites
Storage Devices	151 Sites
Telephone Components	151 Sites
Video Components	151 Sites

11 ☒ Basic Maintenance of Internal Connections
Do you have a Request for Proposal (RFP) that specifies the services you are seeking? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.

a ☒ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b ☒ NO, I have not released and do not intend to release an RFP for these services.

Whether you check YES or NO, you must list below the Basic Maintenance Services you seek. Specify each service or function (e.g., basic maintenance of routers) and quantity and/or capacity (e.g., for 10 routers). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Basic Maintenance services. Attach additional lines if needed.

c ☒ Check this box if you prefer discounts on your bill. ☒ Check this box if you prefer reimbursement after paying your bill in full. ☒ Check this box if you do not have a preference.

Service or Function:	Quantity and/or Capacity:
Maintenance and Technical Support of Internal Connections	151 Sites

12 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the Authorized Person who signs this form.

Name: Bud Bullard	Title: Director of IT
Telephone number (720) 423 - 3222	
Fax number (720) 423 - 3444	
E-mail Address bud_bullard@dpsk12.org	

13a. ☐ Check this box if there are any restrictions imposed by state or local laws or regulations on how or when service providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide a Web address where they are posted and a contact name and telephone number. A Colorado constitutional amendment prohibits public schools and libraries from entering into multiple-year financial obligations, such as multi-year contract, without pre-allocation of the funds unless the local voters have previously approved such an obligation [Colo. Const. Article X, Section 20(4)(b)]. However, funding agreements, including multi-year contracts, that are subject to annual appropriations by a governing board, such as a school board, generally are allowed and are not subject to this constitutional provision since the governing board decides each year to make a particular expenditure.

☐ Check this box if no state and local procurement/competitive bidding requirements apply to the procurement of services sought on this Form 470.

13b. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, you may summarize below (including the likely timeframes). If you are requesting services for a funding year for which a Form 470 cannot yet be filed online, include that information here.

Block 3: Technology Assessment

14. ☐ **Basic telephone service only:** If your application is for basic telephone service and voice mail only, check this box and skip to Item 16. Basic telephone service is defined as wireline or wireless single line voice service (local, cellular/PCS, and/or long distance) and mandatory fees associated with such service (e.g., federal and state taxes and universal service fees).

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check one or both boxes in 15a through 15e. You may provide details for purchases being sought.

a. Desktop communications software: Software required ☐ has been purchased; and/or ☐ is being sought.

b. Electrical systems: ☐ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers ☐ has been purchased; and/or ☐ is being sought.

d. Computer hardware maintenance: adequate arrangements ☐ have been made; and/or ☐ are being sought.

e. Staff development: ☐ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☐ training is being sought.

f. Additional details: Use this space to provide additional details to help providers to identify the ineligible services you desire.

Block 4: Recipients of Service

16. Eligible Entities That Will Receive Services:

Check the ONE choice (Item 16a, 16b or 16c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. ☒ Individual school or single-site library.

b. ☒ Statewide application for (enter 2-letter state code) representing (check all that apply):

- ☐ All public schools/districts in the state;
☐ All non-public schools in the state;
☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☐ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible entities	151
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces

17. Billed Entities

17. Billed Entities: List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. If a Billed Entity cited on your Form 471 is not listed below, funding may be denied for the funding requests associated with this Form 470.

Entity Number	Entity
142154	DENVER SCHOOL DISTRICT 1

18. Ineligible Participating Entities

List the names of any entity/entities here for whom services are requested that are not eligible for the Universal Service Program.

Ineligible Participating Entity	Area Code	Prefix

Block 5: Certification

19. ☐ I certify that the applicant includes: (Check one or both.)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7081(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-

profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges, and universities).

20. ☒ I certify that all of the individual schools, libraries, and library consortia receiving services under this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, an SLD-certified technology plan approver, prior to the commencement of service. The plans were written at the following level(s):

- a. ☒ individual technology plans for using the services requested in the application; and/or
- b. ☐ higher-level technology plans for using the services requested in the application; or
- c. ☐ no technology plan needed; application requests basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only

21. ☒ I certify that I will post my Form 470 and (if applicable) make my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology plan goals. I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, other than the services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

23. ☒ I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support.

24. ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. ☒ I certify that I have reviewed all applicable state and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form can be punished by fine or forfeiture, under the Commissions Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

26. ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.

27. Signature of authorized person: ☒

28. Date (mm/dd/yyyy): 01/10/2011

29. Printed name of authorized person: Ed Freeman

30. Title or position of authorized person: CIO/CTO

31a. Address of authorized person: 780 Grant St
City: Denver State: CO Zip: 80203

31b. Telephone number of authorized person: (720) 423 - 3703

31c. Fax number of authorized person: (720) 4233444

31d. E-mail address number of authorized person: ed_freeman@dpsk12.org

31e. Name of authorized person's employer: Denver Public Schools

Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the SLD web site at www.sluniversal-service.org or call the Client Service Bureau at 1-888-203-8100.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC, or (b) any employee of the FCC, or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

SLD-Form 470

P.O. Box 7026

Lawrence, Kansas 66044-7026

1-888-203-8100

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

SLD Forms

ATTN: SLD Form 470

3833 Greenway Drive

Lawrence, Kansas 66046

1-888-203-8100

FCC Form 470
October 2004

Attachment 3

6/22/2018

AC 470 Application

FCC Form 470

Approval by OMB
3060-0806

Schools and Libraries Universal Service Description of Services Requested and Certification Form 470

Estimated Average Burden Hours per Response: 3 hours

This form is designed to help you describe the eligible services you seek so that this data can be posted on the Fund Administrator Internet Site
and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this form.

Form 470 Application Number: 892360000943612	Applicant's Form Identifier: 472-Yr15-12/13
Application Status: CERTIFIED	Posting Date: 11/16/2011
Allowable Contract Date: 12/14/2011	Certification Received Date: 11/16/2011

Block 1: Applicant Address and Information

1 Name of Applicant:
DENVER SCHOOL DISTRICT 1

2 Funding Year: 2012 (Funding years run from July 1 through the following June 30)

3 Entity Number: 142154

4a Street Address, P.O.Box, or Route Number:

900 GRANT STREET

City: DENVER State: CO Zip Code: 80203 -2907

4b Telephone Number: (720) 423 -3200

4c Fax Number: (720) 423 -3444

5a Eligible Entities That Will Receive Services:

Check the ONE choice in 5a that best describes the eligible entities that will receive the services described in this form. You will then list in Item 15 the entity/entities that will pay the bills for these services.

- ☐ Individual School (individual public or non-public school)
- ☒ School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)
- ☐ Library (including library system, library outlet/branch or library consortium as defined under LSTA)
- ☐ Consortium (intermediate service agencies, states, state networks, consortia of schools and/or libraries)
- ☐ Statewide application for (enter 2-letter state code)

representing (check all that apply)

- ☐ All public schools/districts in the state
- ☐ All non-public schools in the state
- ☐ All libraries in the state

5b Recipient(s) of Services - Check all that apply:

- ☐ Private ☒ Public ☐ Charter
- ☐ Tribal ☐ Head Start ☐ State Agency

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USAC 470 Application

5c Number of eligible entities for which services are sought: 151

Block 1: Applicant Address and Information (continued)

6a Contact Person's Name:

Brad Yohe

If the Contact Person's Street Address is the same as Item 4a above, check here. ☐ If not, complete Item 6b.

6b Street Address, P.O.Box, or Route Number:

NOTE: USAC will use this address to mail correspondence

780 Grant St

City: Denver State: CO Zip Code: 80203 -2907

Check the box next to your preferred mode of contact and provide your contact information. One box MUST be checked and an entry provided.

☐ 6c Telephone Number: (720) 423 -2000☐ 6d Fax Number: (720) 423 -3971☒ 6e E-Mail Address: brad_yohe@dpsk12.org

Re-enter E-mail Address: brad_yohe@dpsk12.org

If a consultant is assisting you with your application process, please complete Item 7 below:

7 Consultant Name:

Name of Consultant's Employer:

Consultant's Street Address:

City: State: Zip Code:

Consultant's Telephone Number: Ext.

Consultant's Fax Number:

Consultant's E-mail Address:

Re-enter E-mail Address:

Consultant Registration Number:

Entity Number: 142154

Applicant's Form Identifier: 472-Yr15-12/13

Contact Person: Brad Yohe

Phone Number: (720) 423-2000

Block 2: Summary Description of Needs or Services Requested**8 Telecommunication Services***If you check YES to indicate you have a Request for Proposals (RFP) that specifies the services you are seeking, your RFP must be available to all interested bidders for at least 28 days. If your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.*a ☐ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Internet at:

or via (check one)

☐ the contact person in Item 6 or☐ the contact person listed in Item 12

Your RFP Identifier:

b ☒ NO, I have not released and do not intend to release an RFP for these services.

Service	Quantity and/or Capacity
Fiber or Dark Fiber	151 Sites
Paging Services	680 Employees

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AC 470 Application

Telephone Service	151 Sites
Digital Transmission Services	151 Sites

9 Internet Access

If you check YES to indicate you have a Request for Proposals (RFP) that specifies the services you are seeking, your RFP must be available to all interested bidders for at least 28 days. If your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.

a ☒ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Internet at: <http://purchasing.dpsk12.org>

or via (check one) ☐ the contact person in Item 6 or ☐ the contact person listed in Item 12

Your RFP Identifier:

b ☐ NO, I have not released and do not intend to release an RFP for these services.

Whether you check YES or NO, you must list below the Internet Access services you seek. Specify each service (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users).

Service	Quantity and/or Capacity
E-mail Service	151 Centralized Support
Web Hosting	151 Centralized Support
Distance Learning and Video Conference	151 Centralized Support
Other Eligible Internet Access Services	151 Centralized Support
Internet Access	151 Centralized Support

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USAC 470 Application

Entity Number: 142154	Applicant's Form Identifier: 472-Yr15-12/13
Contact Person: Brad Yohe	Phone Number: (720) 423-2000

10 Internal Connections Other Than Basic Maintenance

If you check YES to indicate you have a Request for Proposals (RFP) that specifies the services you are seeking, your RFP must be available to all interested bidders for at least 28 days. If your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.

a ☒ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Internet at: <http://purchasing.dpsk12.org>
 or via (check one) ☐ the contact person in Item 6 or ☐ the contact person listed in Item 12

Your RFP Identifier:

b ☐ NO, I have not released and do not intend to release an RFP for these services.

Whether you check YES or NO, you must list below the Internal Connections services you seek. Specify each service (e.g., a router, hub and cabling) and quantity and/or capacity (e.g., connecting 1 classroom of 30 students).

Service	Quantity and/or Capacity
Cabling Connections	151 Sites
Circuit Cards Components	151 Sites
Data Distribution	151 Sites
Interfaces, Gateways, Antennas	151 Sites
Servers	151 Sites
Software	151 Sites
Storage Devices	151 Sites
Telephone Components	151 Sites

11 Basic Maintenance of Internal Connections

If you check YES to indicate you have a Request for Proposals (RFP) that specifies the services you are seeking, your RFP must be available to all interested bidders for at least 28 days. If your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.

a ☒ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Internet at: <http://purchasing.dpsk12.org>
 or via (check one) ☐ the contact person in Item 6 or ☐ the contact person listed in Item 12

Your RFP Identifier:

b ☐ NO, I have not released and do not intend to release an RFP for these services.

Whether you check YES or NO, you must list below the Basic Maintenance services you seek. Specify each service (e.g., basic maintenance of routers) and quantity and/or capacity (e.g., for 10 routers).

Service	Quantity and/or Capacity
Maintenance and Technical Support of Internal Connections	151 Sites

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AC 470 Application

Entity Number: 142154	Applicant's Form Identifier: 472-Yr15-12/13
Contact Person: Brad Yohe	Phone Number: (720) 423-2000

12 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This person does not need to be the contact person(s) listed in Item 6 nor the Authorized Person who signs this form.

Name:
Brad

Title:
Yohe

Telephone Number: (720) 423 - 2000

Fax Number: (720) 423 - 3971

Email Address: brad_yohe@dpsk12.org

Re-enter E-mail Address: brad_yohe@dpsk12.org

13 ☒ Check this box if there are any restrictions imposed by state or local laws or regulations on how or when service providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures and/or provide an Internet address where they are posted and a contact name and telephone number.

☐ Check this box if no state and local procurement/competitive bidding requirements apply to the procurement of services sought on this Form 470.

If you are requesting services for a funding year for which a Form 470 cannot yet be filed online, include that information here.

A Colorado constitutional amendment prohibits public schools and libraries from entering into multiple-year financial obligations, such as multi-year contract, without pre-allocation of the funds unless the local voters have previously approved such an obligation [Colo. Const. Article X, Section 20(4)(b)]. However, funding agreements, including multi-year contracts, that are subject to annual appropriations by a governing board, such as a school board generally are allowed and are not subject to this constitutional provision since the governing board decides each year to make a particular expenditure.

Block 3:

14. [Reserved]

Entity Number: 142154	Applicant's Form Identifier: 472-Yr15-12/13
Contact Person: Brad Yohe	Contact Phone Number: (720) 423-2000

Block 4: Recipients of Service

15 Billed Entities

List the entity/entities that will be paying the bills directly to the provider for the services requested in this form. These are known as Billed Entities. At least one line of this item must be completed. If a Billed Entity cited on your FCC Form 471 is not listed below, funding may be denied for the funding requests associated with this FCC Form 470. Attach additional pages if needed.

Entity Number	Entity Name
142154	DENVER SCHOOL DISTRICT 1

Entity Number: 142154	Applicant's Form Identifier: 472-Yr15-12/13
Contact Person: Brad Yohe	Contact Phone Number: (720) 423-2000

6/22/2018

USAC 470 Application

Block 5: Certifications and Signature

- 16 I certify that the applicant includes: (Check one or both.)
- ☒ a schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801 (18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- ☐ b libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools (including, but not limited to elementary and secondary schools, colleges, and universities).
- 17 ☒ I certify that, if required by Commission rules, all of the individual schools and libraries receiving services under this form are covered by technology plans that do or will cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, or an SLD-certified technology plan approver, prior to the commencement of service.
- ☐ Or I certify that no technology plan is required by Commission rules.
- 18 ☒ I certify that I will post my FCC Form 470 and (if applicable) make any applicable RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology goals.
- 19 ☒ I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the form for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
- 20 ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500, and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this form have not received anything of value or a promise of anything of value, other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.
- 21 ☒ I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that I have considered what financial resources should be available to cover these costs.
- 22 ☒ I certify that I am authorized to procure eligible services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this form, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.
- 23 ☒ I certify that I have reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form may be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.
- 24 ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.

Entity Number: 142154

Applicant's Form Identifier: 472-Yr15-12/13

Contact Person: Brad Yohe

Contact Phone Number: (720) 423-2000

25 Signature of authorized person: ☒

26 Date: 11/16/2011

27a Printed name of authorized person:

Edward H. Freeman, PhD

27b Title or position of authorized person:

CIO/CTO

☐ Check here if the consultant in Item 7 is the Authorized Person.

6/22/2018

AC 470 Application

27c Street Address, P.O. Box, Route Number, City, State, Zip Code:

780 Grant St

City: Denver

State: CO

Zip Code: 80203

27d Telephone Number of Authorized Person:

(720) 423-3703

27e Fax Number of Authorized Person:

(720) 423-3971

27f E-mail Address of Authorized Person:

ed_freeman@dpsk12.org

Re-enter E-mail Address:

ed_freeman@dpsk12.org

27g Name of Authorized Person's Employer:

Denver School District 1

Service provider involvement with preparation or certification of an FCC Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the Schools and Libraries area of the USAC web site at www.usac.org/sl or call the SLD Client Service Bureau at 1-888-203-8100.

6/22/2018

USAC 470 Application

Entity Number: 142154	Applicant's Form Identifier: 472-Yr15-12/13
Contact Person: Brad Yohe	Phone Number: (720) 423-2000

NOTICE: In accordance with Section 54.503 of the Federal Communications Commission's rules, certain schools and libraries ordering services that are eligible for and seeking universal service discounts must file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator, 47 C.F.R. § 54.503(c). The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.503. Schools and libraries must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your form without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, *et seq.*

Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

FCC Form 470
October 2010[New Search](#)[Return To Search Results](#)

Attachment 4

FCC Form 470

Approval by OMB
3060-0806**Schools and Libraries Universal Service
Description of Services Requested and Certification Form 470**

Estimated Average Burden Hours per Response: 3 hours

This form is designed to help you describe the eligible services you seek so that this data can be posted on the Fund Administrator Internet Site and interested service providers can identify you as a potential customer and compete to serve you.

Please read Instructions before beginning this form.

Form 470 Application Number: 730260001044555	Applicant's Form Identifier: 472-Yr16 13/14
Application Status: CERTIFIED	Posting Date: 10/02/2012
Allowable Contract Date: 10/30/2012	Certification Received Date: 10/02/2012

Block 1: Applicant Address and Information

1 Name of Applicant:
DENVER SCHOOL DISTRICT 1

2 Funding Year: 2013 (Funding years run from July 1 through the following June 30)

3 Entity Number: 142154

4a Street Address, P.O.Box, or Route Number:
900 GRANT STREET

City: DENVER State: CO Zip Code: 80203 -2907

4b Telephone Number: (720) 423 -3200

4c Fax Number: (720) 423 -3444

5a Eligible Entities That Will Receive Services:
Check the ONE choice in 5a that best describes the eligible entities that will receive the services described in this form. You will then list in Item 15 the entity/entities that will pay the bills for these services.

☐ Individual School (individual public or non-public school)

☒ School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)

☐ Library (including library system, library outlet/branch or library consortium as defined under LSTA)

☐ Consortium (intermediate service agencies, states, state networks, consortia of schools and/or libraries)

☐ Statewide application for (enter 2-letter state code)
representing (check all that apply)

☐ All public schools/districts in the state

☐ All non-public schools in the state

☐ All libraries in the state

5b Recipient(s) of Services - Check all that apply:

☐ Private ☒ Public ☐ Charter

☐ Tribal ☐ Head Start ☐ State Agency

5c Number of eligible entities for which services are sought: 151

Block 1: Applicant Address and Information (continued)

6a Contact Person's Name:
Alex Sund

If the Contact Person's Street Address is the same as Item 4a above, check here. ☐ If not, complete Item 6b.

6b Street Address, P.O.Box, or Route Number:
NOTE: USAC will use this address to mail correspondence
780 Grant St

City: Denver State: CO Zip Code: 80203 -2907

Check the box next to your preferred mode of contact and provide your contact information. One box MUST be checked and an entry provided.

☐ 6c Telephone Number: (720) 423 -3993

☐ 6d Fax Number: (720) 423 -3444

☒ 6e E-Mail Address: alex_sund@dpsk12.org
Re-enter E-mail Address: alex_sund@dpsk12.org

If a consultant is assisting you with your application process, please complete Item 7 below:

7 Consultant Name:
Name of Consultant's Employer:
Consultant's Street Address:

City: State: Zip Code:
Consultant's Telephone Number: Ext.
Consultant's Fax Number:
Consultant's E-mail Address:
Re-enter E-mail Address:
Consultant Registration Number:

Entity Number: 142154	Applicant's Form Identifier: 472-Yr16 13/14
Contact Person: Alex Sund	Phone Number: (720) 423-3993

Block 2: Summary Description of Needs or Services Requested

8 Telecommunication Services	
If you check YES to indicate you have a Request for Proposals (RFP) that specifies the services you are seeking, your RFP must be available to all interested bidders for at least 28 days. If your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.	
a <input checked="" type="checkbox"/> YES, I have released or intend to release an RFP for these services. It is available or will become available on the Internet at: http://purchasing.dpsk12.org or via (check one) <input type="checkbox"/> the contact person in Item 6 or <input type="checkbox"/> the contact person listed in Item 12 Your RFP Identifier:	
b <input type="checkbox"/> NO, I have not released and do not intend to release an RFP for these services.	
Service	Quantity and/or Capacity
Fiber or Dark Fiber	151 Sites
Paging Services	750 Employees
Telephone Service	151 Sites
Digital Transmission	151 Sites
9 Internet Access	
If you check YES to indicate you have a Request for Proposals (RFP) that specifies the services you are seeking, your RFP must be available to all interested bidders for at least 28 days. If your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.	
a <input checked="" type="checkbox"/> YES, I have released or intend to release an RFP for these services. It is available or will become available on the Internet at: http://purchasing.dpsk12.org or via (check one) <input type="checkbox"/> the contact person in Item 6 or <input type="checkbox"/> the contact person listed in Item 12 Your RFP Identifier:	
b <input type="checkbox"/> NO, I have not released and do not intend to release an RFP for these services.	
Whether you check YES or NO, you must list below the Internet Access services you seek. Specify each service (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users).	
Service	Quantity and/or Capacity
E-mail Service	151 Centralized Support
Web Hosting	151 Centralized Support
Distance Learning and Video Conference	151 Centralized Support
Other Eligible Internet Access Services	151 Centralized Support
Internet Access	151 Centralized Support
Entity Number: 142154 Applicant's Form Identifier: 472-Yr16 13/14 Contact Person: Alex Sund Phone Number: (720) 423-3993	
10 Internal Connections Other Than Basic Maintenance	
If you check YES to indicate you have a Request for Proposals (RFP) that specifies the services you are seeking, your RFP must be available to all interested bidders for at least 28 days. If your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.	
a <input checked="" type="checkbox"/> YES, I have released or intend to release an RFP for these services. It is available or will become available on the Internet at: http://purchasing.dpsk12.org or via (check one) <input type="checkbox"/> the contact person in Item 6 or <input type="checkbox"/> the contact person listed in Item 12 Your RFP Identifier:	
b <input type="checkbox"/> NO, I have not released and do not intend to release an RFP for these services.	
Whether you check YES or NO, you must list below the Internal Connections services you seek. Specify each service (e.g., a router, hub and cabling) and quantity and/or capacity (e.g., connecting 1 classroom of 30 students).	
Service	Quantity and/or Capacity
Cabling Connections	151 Sites
Circuit Cards Components	151 Sites
Data Distribution	151 Sites
Interfaces, Gateways, Antennas	151 Sites
Servers	151 Sites
Software	151 Sites
Storage Devices	151 Sites
Telephone Components	151 Sites
11 Basic Maintenance of Internal Connections	
If you check YES to indicate you have a Request for Proposals (RFP) that specifies the services you are seeking, your RFP must be available to all interested bidders for at least 28 days. If your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.	
a <input type="checkbox"/> YES, I have released or intend to release an RFP for these services. It is available or will become available on the Internet at: or via (check one) <input type="checkbox"/> the contact person in Item 6 or <input type="checkbox"/> the contact person listed in Item 12 Your RFP Identifier:	
b <input checked="" type="checkbox"/> NO, I have not released and do not intend to release an RFP for these services.	
Whether you check YES or NO, you must list below the Basic Maintenance services you seek. Specify each service (e.g., basic maintenance of routers) and quantity and/or capacity (e.g., for 10 routers).	
Service	Quantity and/or Capacity
Maintenance and Technical Support of Internal Connections	151 Sites
Entity Number: 142154 Applicant's Form Identifier: 472-Yr16 13/14	

Contact Person: Alex Sund		Phone Number: (720) 423-3993					
<p>12 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This person does not need to be the contact person(s) listed in Item 6 nor the Authorized Person who signs this form.</p> <p>Name: Alex Sund</p> <p>Title: Telecomm Manager</p> <p>Telephone Number: (720) 423 - 3993</p> <p>Fax Number: (720) 423 - 3444</p> <p>Email Address: alex_sund@dpsk12.org</p> <p>Re-enter E-mail Address: alex_sund@dpsk12.org</p>							
<p>13 <input checked="" type="checkbox"/> Check this box if there are any restrictions imposed by state or local laws or regulations on how or when service providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures and/or provide an Internet address where they are posted and a contact name and telephone number.</p> <p><input type="checkbox"/> Check this box if no state and local procurement/competitive bidding requirements apply to the procurement of services sought on this Form 470.</p> <p>If you are requesting services for a funding year for which a Form 470 cannot yet be filed online, include that information here.</p> <p>A Colorado constitutional amendment prohibits public schools and libraries from entering into multiple-year financial obligations, such as multi-year contract, without pre-allocation of the funds unless the local voters have previously approved such an obligation [Colo. Const. Article X, Section 20(4)(b)]. However, funding agreements, including multi-year contracts, that are subject to annual appropriations by a governing board. Such as a school Board generally are allowed and are not subject to this constitutional provision since the governing board decides each year to make a particular expenditure.</p>							
Block 3:							
14. [Reserved]							
Entity Number: 142154		Applicant's Form Identifier: 472-Yr16 13/14					
Contact Person: Alex Sund		Contact Phone Number: (720) 423-3993					
Block 4: Recipients of Service							
<p>15 Billed Entities</p> <p>List the entity/entities that will be paying the bills directly to the provider for the services requested in this form. These are known as Billed Entities. At least one line of this item must be completed. If a Billed Entity cited on your FCC Form 471 is not listed below, funding may be denied for the funding requests associated with this FCC Form 470. Attach additional pages if needed.</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 20%;">Entity Number</th> <th style="text-align: left;">Entity Name</th> </tr> </thead> <tbody> <tr> <td>142154</td> <td>DENVER SCHOOL DISTRICT 1</td> </tr> </tbody> </table>				Entity Number	Entity Name	142154	DENVER SCHOOL DISTRICT 1
Entity Number	Entity Name						
142154	DENVER SCHOOL DISTRICT 1						
Entity Number: 142154		Applicant's Form Identifier: 472-Yr16 13/14					
Contact Person: Alex Sund		Contact Phone Number: (720) 423-3993					
Block 5: Certifications and Signature							
<p>16 I certify that the applicant includes: (Check one or both.)</p> <p><input checked="" type="checkbox"/> a schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801 (18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or</p> <p><input type="checkbox"/> b libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools (including, but not limited to elementary and secondary schools, colleges, and universities).</p> <p>17 <input checked="" type="checkbox"/> I certify that, if required by Commission rules, all of the individual schools and libraries receiving services under this form are covered by technology plans that do or will cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, or an SLD-certified technology plan approver, prior to the commencement of service.</p> <p><input type="checkbox"/> Or I certify that no technology plan is required by Commission rules.</p> <p>18 <input checked="" type="checkbox"/> I certify that I will post my FCC Form 470 and (if applicable) make any applicable RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology goals.</p> <p>19 <input checked="" type="checkbox"/> I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the form for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.</p> <p>20 <input checked="" type="checkbox"/> I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500, and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this form have not received anything of value or a promise of anything of value, other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.</p> <p>21 <input checked="" type="checkbox"/> I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that I have considered what financial resources should be available to cover these costs.</p> <p>22 <input checked="" type="checkbox"/> I certify that I am authorized to procure eligible services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this form, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.</p> <p>23 <input checked="" type="checkbox"/> I certify that I have reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form may be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.</p> <p>24 <input checked="" type="checkbox"/> I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.</p>							
Entity Number: 142154		Applicant's Form Identifier: 472-Yr16 13/14					

Contact Person: Alex Sund		Contact Phone Number: (720) 423-3993
25 Signature of authorized person: <input checked="" type="checkbox"/>		26 Date: 10/02/2012
27a Printed name of authorized person: Bud Bullard 27b Title or position of authorized person: Deputy Chief Information Officer <input type="checkbox"/> Check here if the consultant in Item 7 is the Authorized Person. 27c Street Address, P.O. Box, Route Number, City, State, Zip Code: 780 Grant St City: Denver State: CO Zip Code: 80203-2907 27d Telephone Number of Authorized Person: (720) 423-3222 27e Fax Number of Authorized Person: (720) 423-3444 27f E-mail Address of Authorized Person: bud_bullard@dpsk12.org Re-enter E-mail Address: bud_bullard@dpsk12.org 27g Name of Authorized Person's Employer: Denver School District 1		
Service provider involvement with preparation or certification of an FCC Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the Schools and Libraries area of the USAC web site at www.usac.org/sl or call the SLD Client Service Bureau at 1-888-203-8100.		
Entity Number: 142154		Applicant's Form Identifier: 472-Yr16 13/14
Contact Person: Alex Sund		Phone Number: (720) 423-3993
<p>NOTICE: In accordance with Section 54.503 of the Federal Communications Commission's rules, certain schools and libraries ordering services that are eligible for and seeking universal service discounts must file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.503(c). The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.503. Schools and libraries must file this form themselves or as part of a consortium.</p> <p>An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.</p> <p>The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.</p> <p>If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.</p> <p>If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your form without action.</p> <p>The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, <i>et seq.</i></p> <p>Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.</p>		

FCC Form 470
October 2010[New Search](#) [Return To Search Results](#)

Attachment 5

Attachment 5A



Universal Service Administrative Company

Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2011: 07/01/2011 - 06/30/2012)

May 24, 2018

Bud Bullard
DENVER SCHOOL DISTRICT 1
780 Grant St
Denver, CO 80203-2907

Re: Form 471 Application Number: 782885
Billed Entity Number (BEN): 142154
Billed Entity FCC RN: 0011753191
Applicant's Form Identifier: 471-Yr14/13

and documentation.

4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the

applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
 Billed Entity Name: DENVER SCHOOL DISTRICT 1
 BEN: 142154
 Funding Year: 2011

Comment on RAL corrections: MR1: REMINGTON ELEMENTARY SCHOOL (#93657) has been removed from Block 4, Worksheet

1294861, of the FCC Form 471 application at the request of the applicant. <<<<<<<<

MR2: DENVER PUBLIC SCHOOLS REMINGTON (#16067538) has been added to Block 4, Worksheet

1294861, of the FCC Form 471 application at the request of the applicant.

Form 471 Application Number: 782885

Funding Request Number: 2173158

Funding Status: Not Funded

Category of Service: Telecommunications Service

Form 470 Application Number: 715350000884545

SPIN: 143006742

Service Provider Name: Sprint Spectrum, L.P.

Contract Number: MTM

Billing Account Number: 709199306

Multiple Billing Account Numbers: N

Service Start Date: 07/01/2011

Service End Date: 06/30/2012

Contract Award Date: N/A

Contract Expiration Date: N/A

Shared Worksheet Number: 1294861

Number of Months Recurring Service Provided in Funding Year: 12

Annual Pre-discount Amount for Eligible Recurring Charges: \$256,632.00

Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00

Pre-discount Amount: \$256,632.00

Discount Percentage Approved by the USAC: 80%

Funding Commitment Decision: \$0.00 - Bidding Violation

Funding Commitment Decision Explanation: MR1: Per Program rules, closed entities are not eligible for funding. The following closed entities were removed from Block 4 of the FCC Form 471 application; REMINGTON ELEMENTARY SCHOOL. The student counts associated with the closed entity(ies) have been removed from the application.

<<<<<<<< MR2: DENVER PUBLIC SCHOOLS REMINGTON (#16067538) has been added to Block 4, Worksheet 1294861, of the FCC Form 471 application at the request of the

applicant. <<<<<<<< MR3: The establishing FCC Form 470 Application Number was changed at the request of the applicant. <<<<<<<< MR4: The FRN was modified from

\$21,386.00 per month to \$13,076.32 per month to agree with the applicant

documentation. <<<<<<<< MR5: The amount of the funding request was changed from \$13,076.32 per month to \$12,811.08 per month to remove: the ineligible service(s)

Equipment for \$9.90 per month, Seasonal Standby for \$72.82 per month, Prorated Charges for \$155.03 per month, Address Book Admin for \$17.50 per month, Alert

Application for \$9.99 per month. <<<<<<<< MR6: In consultation with the applicant, the service provider has been changed to Sprint Spectrum, L.P., SPIN number

143006742. <<<<<<<< DR1: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During

application review, you were asked to provide all bids and any vendor evaluation documentation associated with this funding request and you failed to do so.

Therefore, this FRN is denied. <<<<<<<< DR2: The FCC Form 470 that established the

competitive bidding process for this FRN did not include the type of service requested in the FRN, cellular phone service. Therefore it does not meet the 28 day competitive bidding requirement since potential bidders were not made aware that bids for this specific service were sought.

FCDL Date: 05/24/2018

Wave Number: 133

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2019

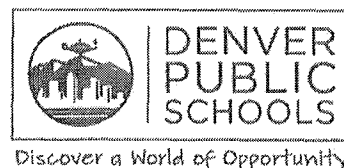
Consultant Name:

Consultant Number (CRN):

Consultant Employer:

Denver Public Schools

WEB www.dpsk12.org



July 23, 2018

Transmitted via E-rate Productivity Center

Letter of Appeal
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

To Whom It May Concern:

This is a letter of appeal relating to the REVISED Funding Commitment Decision Letter issued by USAC on May 24, 2018 for the following:

Appellant/Organization Name	Denver School District 1
BEN	142154
Form 471	782885
Funding Request Numbers	2173158
SPIN:	143006742 -- Sprint Spectrum

The reasons cited for the decision were:

DR1: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide all bids and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied. <><><><>

DR2: The FCC Form 470 that established the competitive bidding process for this FRN did not include the type of service requested in the FRN, cellular phone service. Therefore it does not meet the 28 day competitive bidding requirement since potential bidders were not made aware that bids for this specific service were sought.

Basis for Appeal:

DPS does not agree with the assessment that disbursed funds should be recovered for FRN #2611669.

In response to DR1: As indicated on the Form 470 Application Number 715350000884545, no. 8(b), DPS did not release and did not intend to release an RFP for these services. As DPS has indicated in the past, the individual who was in charge of this process, Bud Bullard, is no longer an employee of DPS. However, Mr. Bullard's email communications were retained and reviewed. This finding assumes additional documentation was received and not retained whereas based on our exhaustive research, there were no indications that any vendor(s) responses to the Form 470 in Mr. Bullard's email communications were received. It appears that DPS continued to receive the services from the incumbent vendor. Therefore, there would be no additional documentation regarding the competitive bidding process beyond the Form 470.

In response to DR2: At the time this Form 470 was completed, DPS reasonably believed that indicating "Telephone Service" in response to no. 8(c) was sufficient to indicate that the Form 470 was for overall telephone phone services.

Currently, DPS issues formal RFPs for all month-to-month services and retains all documentation. However, in Funding Year 2011, DPS reasonably believed that the Form 470 was sufficient with regards to month-to-month services as it had been for many years prior

We respectfully request that the Commitment Adjustment Letter issued by USAC on May 24, 2018 be overturned and that funding for the FRN be approved as it was originally requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Ferrandino', with a long horizontal flourish extending to the right.

Mark Ferrandino
Chief Financial Officer
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203
Phone: 720-423-3490
Email: MARK_FERRANDINO@dpsk12.org

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Billed Entity Number: 142154
Form 471 Application Number: 782885
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2011-2012

August 20, 2018

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Re: Applicant Name: DENVER SCHOOL DISTRICT 1
Billed Entity Number: 142154
Form 471 Application Number: 782885
Funding Request Number(s): 2173158
Your Correspondence Dated: July 23, 2018

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2011 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2173158
Decision on Appeal: **Denied**
Explanation:

- FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. The record shows that during application review, applicant was asked to provide all bids and any vendor evaluation documentation associated with the above listed funding request number (FRN) and applicant failed to do so. Additionally, USAC has determined that the FCC Form 470 that established the competitive bidding process for this FRN did not include the type of service requested in the FRN, cellular phone service. Therefore it does not meet the 28 day competitive bidding requirement since potential bidders were not made aware that bids for this specific service were sought. Therefore, the FRN was denied. In your appeal, you did not demonstrate that USAC's decision was incorrect. Consequently, your appeal is denied.

FCC rules require that the schools, libraries, and any consortium that includes schools or libraries shall retain all documents related to the application for, receipt, and delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year, or the service delivery deadline for the funding request. Any document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(1). Service providers shall retain documents related to the delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year or the service delivery deadline for the funding request. Any other document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(2). Schools, libraries, consortia, and service providers are further required to produce such records upon request of any representative (including any auditor) appointed by a state education department, the Administrator, the FCC or any local, state or federal agency with jurisdiction over the entity. See 47 C.F.R. sec. 54.516(b).

- FCC rules require that all products and services for which an applicant requests discounts on an FCC Form 471 must be competitively bid on an FCC Form 470. The FCC Form 470 must include a complete description of the services for which discounts are sought, be posted on the website for 28 days, and applicants must carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing and submitting an FCC Form 471. See 47 C.F.R. secs. 54.503(b) and (c), 54.511(a) and (c). These competitive bidding requirements help to ensure that applicants receive the lowest pre-discount price from vendors. See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Order on Reconsideration, 12 FCC Rcd 10095, 10098, FCC 97-246 para. 9 (rel. Jul. 10, 1997). The only exceptions to the posting requirement are for: (1) contracts signed on or before July 10, 1997 for the life of the contract; and (2) contracts signed between July 10, 1997 and before January 30, 1998 (the date on which the website became operational) for products and/or services provided under such contract between January 1, 1998 and December 31, 1998. See 47 C.F.R. secs. 54.511(c).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Rosy Campos

Attachment 5B



Universal Service Administrative Company

Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2011: 07/01/2011 - 06/30/2012)

May 24, 2018

Bud Bullard
DENVER SCHOOL DISTRICT 1
780 Grant St
Denver, CO 80203-2907

Re: Form 471 Application Number: 782862
Billed Entity Number (BEN): 142154
Billed Entity FCC RN: 0011753191
Applicant's Form Identifier: 471-Yr14/11

and documentation.

4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the

applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
 Billed Entity Name: DENVER SCHOOL DISTRICT 1
 BEN: 142154
 Funding Year: 2011

Comment on RAL corrections: MR1: REMINGTON ELEMENTARY SCHOOL (#93657) has been removed from Block 4, Worksheet

1294799, of the FCC Form 471 application at the request of the applicant. <<<<<<<<

MR2: DENVER PUBLIC SCHOOLS REMINGTON (#16067538) has been added to Block 4, Worksheet

1294799, of the FCC Form 471 application at the request of the applicant.

Form 471 Application Number: 782862

Funding Request Number: 2173316

Funding Status: Not Funded

Category of Service: Telecommunications Service

Form 470 Application Number: 715350000884545

SPIN: 143000677

Service Provider Name: Verizon Wireless (Cellco Partnership)

Contract Number: MTM

Billing Account Number: 765468183

Multiple Billing Account Numbers: N

Service Start Date: 07/01/2011

Service End Date: 06/30/2012

Contract Award Date: N/A

Contract Expiration Date: N/A

Shared Worksheet Number: 1294799

Number of Months Recurring Service Provided in Funding Year: 12

Annual Pre-discount Amount for Eligible Recurring Charges: \$355,980.00

Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00

Pre-discount Amount: \$355,980.00

Discount Percentage Approved by the USAC: 80%

Funding Commitment Decision: \$0.00 - Bidding Violation

Funding Commitment Decision Explanation: MR1: Per Program rules, closed entities are not eligible for funding. The following closed entities were removed from Block 4 of the FCC Form 471 application; REMINGTON ELEMENTARY SCHOOL. The student counts associated with the closed entity(ies) have been removed from the application.

<<<<<<<< MR2: DENVER PUBLIC SCHOOLS REMINGTON (#16067538) has been added to Block 4, Worksheet 1294799, of the FCC Form 471 application at the request of the

applicant. <<<<<<<< MR3: The establishing FCC Form 470 Application Number was changed at the request of the applicant. <<<<<<<< MR4: The FRN was modified from \$29,665.00 per month to \$22,353.93 per month to agree with the applicant

documentation. <<<<<<<< MR5: The amount of the funding request was changed from \$22,353.93 per month to \$22,212.56 per month to remove: the ineligible product(s) or service(s) Application for \$1.99 per month, Detailed Billing for \$1.99 per month, Extended Warranty for \$1.99 per month, Get It Now Downloads with the associated Megabyte Usage for \$42.42 per month, Prorated Charges for \$20.12 per month, Ringback Tones for \$3.96 per month, TEC Insurance-Asurion for \$25.96 per month, V CAST Vpak for \$15.00 per month, Visual Voicemail for \$2.99 per month, WPP Insurance-Asurion for \$24.95 per month. <<<<<<<< DR1: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide all bids and any vendor evaluation documentation associated with this funding request and you failed to do

so. Therefore, this FRN is denied. <><><><><> DR2: The FCC Form 470 that established the competitive bidding process for this FRN did not include the type of service requested in the FRN, cellular phone service. Therefore it does not meet the 28 day competitive bidding requirement since potential bidders were not made aware that bids for this specific service were sought.

FCDL Date: 05/24/2018

Wave Number: 133

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2019

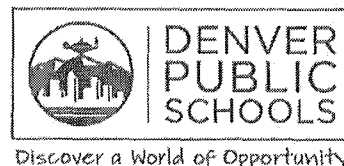
Consultant Name:

Consultant Number (CRN):

Consultant Employer:

Denver Public Schools

WEB www.dpsk12.org



July 23, 2018

Transmitted via E-rate Productivity Center

Letter of Appeal
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

To Whom It May Concern:

This is a letter of appeal relating to the REVISED Funding Commitment Decision Letter issued by USAC on May 24, 2018 for the following:

Appellant/Organization Name	Denver School District 1
BEN	142154
Form 471	782862
Funding Request Numbers	2173316
SPIN:	143000677 – Verizon Wireless

The reasons cited for the decision were:

DR1: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide all bids and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied. <><><><>

DR2: The FCC Form 470 that established the competitive bidding process for this FRN did not include the type of service requested in the FRN, cellular phone service. Therefore it does not meet the 28 day competitive bidding requirement since potential bidders were not made aware that bids for this specific service were sought.

Basis for Appeal:

DPS does not agree with the assessment that disbursed funds should be recovered for FRN #2611669.

In response to DR1: As indicated on the Form 470 Application Number 715350000884545, no. 8(b), DPS did not release and did not intend to release an RFP for these services. As DPS has indicated in the past, the individual who was in charge of this process, Bud Bullard, is no longer an employee of DPS. However, Mr. Bullard's email communications were retained and reviewed. This finding assumes additional documentation was received and not retained whereas based on our exhaustive research, there were no indications that any vendor(s) responses to the Form 470 in Mr. Bullard's email communications were received. It appears that DPS continued to receive the services from the incumbent vendor. Therefore, there is would be no additional documentation regarding the competitive bidding process beyond the Form 470.

In response to DR2: At the time this Form 470 was completed, DPS reasonably believed that indicating "Telephone Service" in response to no. 8(c) was sufficient to indicate that the Form 470 was for overall telephone phone service at all of their locations including: local, long distance and cellular.

Currently, DPS issues formal RFPs for all month-to-month services and retains all documentation. However, in Funding Year 2011, DPS reasonably believed that the Form 470 was sufficient with regards to month-to-month services.

We respectfully request that the Commitment Adjustment Letter issued by USAC on May 24, 2018 be overturned and that funding for the FRN be approved as it was originally requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Ferrandino', with a long horizontal flourish extending to the right.

Mark Ferrandino
Chief Financial Officer
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203
Phone: 720-423-3490
Email: MARK_FERRANDINO@dpsk12.org

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Billed Entity Number: 142154
Form 471 Application Number: 782862
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2011-2012

August 20, 2018

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Re: Applicant Name: DENVER SCHOOL DISTRICT 1
Billed Entity Number: 142154
Form 471 Application Number: 782862
Funding Request Number(s): 2173316
Your Correspondence Dated: July 23, 2018

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2011 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2173316
Decision on Appeal: **Denied**
Explanation:

- FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. The record shows that during application review, applicant was asked to provide all bids and any vendor evaluation documentation associated with the above listed funding request number (FRN) and applicant failed to do so. Additionally, USAC has determined that the FCC Form 470 that established the competitive bidding process for this FRN did not include the type of service requested in the FRN, cellular phone service. Therefore it does not meet the 28 day competitive bidding requirement since potential bidders were not made aware that bids for this specific service were sought. Therefore, the FRN was denied. In your appeal, you did not demonstrate that USAC's decision was incorrect. Consequently, your appeal is denied.

FCC rules require that the schools, libraries, and any consortium that includes schools or libraries shall retain all documents related to the application for, receipt, and delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year, or the service delivery deadline for the funding request. Any document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(1). Service providers shall retain documents related to the delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year or the service delivery deadline for the funding request. Any other document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(2). Schools, libraries, consortia, and service providers are further required to produce such records upon request of any representative (including any auditor) appointed by a state education department, the Administrator, the FCC or any local, state or federal agency with jurisdiction over the entity. See 47 C.F.R. sec. 54.516(b).

- FCC rules require that all products and services for which an applicant requests discounts on an FCC Form 471 must be competitively bid on an FCC Form 470. The FCC Form 470 must include a complete description of the services for which discounts are sought, be posted on the website for 28 days, and applicants must carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing and submitting an FCC Form 471. See 47 C.F.R. secs. 54.503(b) and (c), 54.511(a) and (c). These competitive bidding requirements help to ensure that applicants receive the lowest pre-discount price from vendors. See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Order on Reconsideration, 12 FCC Rcd 10095, 10098, FCC 97-246 para. 9 (rel. Jul. 10, 1997). The only exceptions to the posting requirement are for: (1) contracts signed on or before July 10, 1997 for the life of the contract; and (2) contracts signed between July 10, 1997 and before January 30, 1998 (the date on which the website became operational) for products and/or services provided under such contract between January 1, 1998 and December 31, 1998. See 47 C.F.R. secs. 54.511(c).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Rosy Campos

Attachment 5C



Universal Service Administrative Company

Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2011: 07/01/2011 - 06/30/2012)

May 24, 2018

Bud Bullard
DENVER SCHOOL DISTRICT 1
780 Grant St
Denver, CO 80203-2907

Re: Form 471 Application Number: 782907
Billed Entity Number (BEN): 142154
Billed Entity FCC RN: 0011753191
Applicant's Form Identifier: 471-Yr14/14

and documentation.

4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

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To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the

applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
 Billed Entity Name: DENVER SCHOOL DISTRICT 1
 BEN: 142154
 Funding Year: 2011

Comment on RAL corrections: MR1: REMINGTON ELEMENTARY SCHOOL (#93657) has been removed from Block 4, Worksheet

1294878 of the Form 471 application at the request of the applicant. <<<<<<< MR2: DENVER PUBLIC SCHOOLS REMINGTON (#16067538) has been added to Block 4, Worksheet 1294878, of the Form 471 application at the request of the applicant.

Form 471 Application Number: 782907
 Funding Request Number: 2173438
 Funding Status: Not Funded
 Category of Service: Telecommunications Service
 Form 470 Application Number: 715350000884545
 SPIN: 143025240

Service Provider Name: AT&T Mobility
 Contract Number: MTM
 Billing Account Number: 870922188
 Multiple Billing Account Numbers: N
 Service Start Date: 07/01/2011
 Service End Date: 06/30/2012
 Contract Award Date: N/A
 Contract Expiration Date: N/A
 Shared Worksheet Number: 1294878

Number of Months Recurring Service Provided in Funding Year: 12
 Annual Pre-discount Amount for Eligible Recurring Charges: \$8,346.24
 Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
 Pre-discount Amount: \$8,346.24

Discount Percentage Approved by the USAC: 80%

Funding Commitment Decision: \$0.00 - Bidding Violation

Funding Commitment Decision Explanation: MR1: Per Program rules, closed entities are not eligible for funding. The following closed entities were removed from Block 4 of the FCC Form 471 application; REMINGTON ELEMENTARY SCHOOL (#93657). The student counts associated with the closed entity(ies) have been removed from the application.

<<<<<<< MR2: DENVER PUBLIC SCHOOLS REMINGTON (#16067538) has been added to Block 4, Worksheet 1294878, of the Form 471 application at the request of the applicant.

<<<<<<< MR3: The establishing Form 470 Application Number was changed at the request of the applicant. <<<<<<< MR4: The FRN was modified from \$695.52 per month to \$659.05 per month to agree with the applicant documentation. <<<<<<< MR5: The amount of the funding request was changed from \$659.05 per month to \$612.04 per month to remove: the ineligible product(s) or service(s) Upgrade Fees for \$3.00 per month, Equipment Fees for \$35.73 per month, Restoral Fees for \$5.83 per month, Late Fees for \$2.45 per month. <<<<<<< DR1: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide all bids and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied. <<<<<<< DR2: The FCC Form 470 that established the competitive bidding process for this FRN did not include the type of service requested in the FRN, cellular phone service. Therefore it does not meet the 28 day competitive bidding requirement since potential bidders were not made aware that bids

for this specific service were sought.

FCDL Date: 05/24/2018

Wave Number: 133

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2019

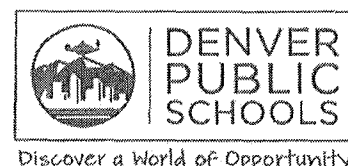
Consultant Name:

Consultant Number (CRN):

Consultant Employer:

Denver Public Schools

WEB www.dpsk12.org



July 23, 2018

Transmitted via E-rate Productivity Center

Letter of Appeal
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

To Whom It May Concern:

This is a letter of appeal relating to the REVISED Funding Commitment Decision Letter issued by USAC on May 24, 2018 for the following:

Appellant/Organization Name	Denver School District 1
BEN	142154
Form 471	782907
Funding Request Numbers	2173438
SPIN:	143025240 – AT&T Mobility

The reasons cited for the decision were:

DR1: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide all bids and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied. <><><><><>

DR2: The FCC Form 470 that established the competitive bidding process for this FRN did not include the type of service requested in the FRN, cellular phone service. Therefore it does not meet the 28 day competitive bidding requirement since potential bidders were not made aware that bids for this specific service were sought.

Basis for Appeal:

DPS does not agree with the assessment that disbursed funds should be recovered for FRN #2611669.

In response to DR1: As indicated on the Form 470 Application Number 715350000884545, no. 8(b), DPS did not release and did not intend to release an RFP for these services. As DPS has indicated in the past, the individual who was in charge of this process, Bud Bullard, is no longer an employee of DPS. However, Mr. Bullard's email communications were retained and reviewed. This finding assumes additional documentation was received and not retained whereas based on our exhaustive research, there were no indications that any vendor(s) responses to the Form 470 in Mr. Bullard's email communications were received. It appears that DPS continued to receive the services from the incumbent vendor. Therefore, there is would be no additional documentation regarding the competitive bidding process beyond the Form 470.

In response to DR2: At the time this Form 470 was completed, DPS reasonably believed that indicating "Telephone Service" in response to no. 8(c) was sufficient to indicate that the Form 470 was for overall telephone phone service at all of their locations including: local, long distance and cellular.

Currently, DPS issues formal RFPs for all month-to-month services and retains all documentation. However, in Funding Year 2011, DPS reasonably believed that the Form 470 was sufficient with regards to month-to-month services.

We respectfully request that the Commitment Adjustment Letter issued by USAC on May 24, 2018 be overturned and that funding for the FRN be approved as it was originally requested.

Sincerely,



Mark Ferrandino
Chief Financial Officer
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203
Phone: 720-423-3490
Email: MARK_FERRANDINO@dpsk12.org

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Billed Entity Number: 142154
Form 471 Application Number: 782907
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2011-2012

August 20, 2018

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Re: Applicant Name: DENVER SCHOOL DISTRICT 1
Billed Entity Number: 142154
Form 471 Application Number: 782907
Funding Request Number(s): 2173438
Your Correspondence Dated: July 23, 2018

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2011 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2173438
Decision on Appeal: **Denied**
Explanation:

- FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. The record shows that during application review, applicant was asked to provide all bids and any vendor evaluation documentation associated with the above listed funding request number (FRN) and applicant failed to do so. Additionally, USAC has determined that the FCC Form 470 that established the competitive bidding process for this FRN did not include the type of service requested in the FRN, cellular phone service. Therefore it does not meet the 28 day competitive bidding requirement since potential bidders were not made aware that bids for this specific service were sought. Therefore, the FRN was denied. In your appeal, you did not demonstrate that USAC's decision was incorrect. Consequently, your appeal is denied.

FCC rules require that the schools, libraries, and any consortium that includes schools or libraries shall retain all documents related to the application for, receipt, and delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year, or the service delivery deadline for the funding request. Any document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(1). Service providers shall retain documents related to the delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year or the service delivery deadline for the funding request. Any other document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(2). Schools, libraries, consortia, and service providers are further required to produce such records upon request of any representative (including any auditor) appointed by a state education department, the Administrator, the FCC or any local, state or federal agency with jurisdiction over the entity. See 47 C.F.R. sec. 54.516(b).

- FCC rules require that all products and services for which an applicant requests discounts on an FCC Form 471 must be competitively bid on an FCC Form 470. The FCC Form 470 must include a complete description of the services for which discounts are sought, be posted on the website for 28 days, and applicants must carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing and submitting an FCC Form 471. See 47 C.F.R. secs. 54.503(b) and (c), 54.511(a) and (c). These competitive bidding requirements help to ensure that applicants receive the lowest pre-discount price from vendors. See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Order on Reconsideration, 12 FCC Rcd 10095, 10098, FCC 97-246 para. 9 (rel. Jul. 10, 1997). The only exceptions to the posting requirement are for: (1) contracts signed on or before July 10, 1997 for the life of the contract; and (2) contracts signed between July 10, 1997 and before January 30, 1998 (the date on which the website became operational) for products and/or services provided under such contract between January 1, 1998 and December 31, 1998. See 47 C.F.R. secs. 54.511(c).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Rosy Campos

Attachment 5D



Universal Service Administrative Company

Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2011: 07/01/2011 - 06/30/2012)

May 24, 2018

Bud Bullard
DENVER SCHOOL DISTRICT 1
780 Grant St
Denver, CO 80203-2907

Re: Form 471 Application Number: 775967
Billed Entity Number (BEN): 142154
Billed Entity FCC RN: 0011753191
Applicant's Form Identifier: 471-Yr14/9

and documentation.

4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the

applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
 Billed Entity Name: DENVER SCHOOL DISTRICT 1
 BEN: 142154
 Funding Year: 2011

Comment on RAL corrections: MR1: The applicant did not submit any RAL corrections. <><><><><> MR2: GOVE MIDDLE

SCHOOL (#93732) has been removed from Block 4, Worksheet 1283276, of the FCC Form 471 application at the request of the applicant. <><><><><> MR3: The discount percentage for GRANT RANCH ELEMENTARY (#229201) was increased based on the requested discount percentage on FCC Form 471 application 774462 which was filed by DENVER SCHOOL DISTRICT 1 (#142154).

Form 471 Application Number: 775967
 Funding Request Number: 2114845
 Funding Status: Not Funded
 Category of Service: Telecommunications Service
 Form 470 Application Number: 715350000884545
 SPIN: 143003990
 Service Provider Name: Comcast Business Communications
 Contract Number: MTM
 Billing Account Number: 4233200
 Multiple Billing Account Numbers: N
 Service Start Date: 07/01/2011
 Service End Date: 06/30/2012
 Contract Award Date: N/A
 Contract Expiration Date: N/A
 Shared Worksheet Number: 1283276

Number of Months Recurring Service Provided in Funding Year: 12
 Annual Pre-discount Amount for Eligible Recurring Charges: \$40,451.04
 Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
 Pre-discount Amount: \$40,451.04

Discount Percentage Approved by the USAC: 80%

Funding Commitment Decision: \$0.00 - Bidding Violation

Funding Commitment Decision Explanation: MR1: Per Program rules, closed entities are not eligible for funding. The following closed entities were removed from Block 4 of the FCC Form 471 application; GOVE MIDDLE SCHOOL (#93732). The student counts associated with the closed entity(ies) have been removed from the application.

<><><><><> MR2: The discount percentage for GRANT RANCH ELEMENTARY (#229201) was increased based on the requested discount percentage on FCC Form 471 application 774462 which was filed by DENVER SCHOOL DISTRICT 1 (#142154). <><><><><> MR3: The amount of the funding request was changed from \$3,370.92 per month to \$3,326.75 per month to remove: the ineligible entity GOVE MIDDLE SCHOOL (#93732) for \$44.17 per month. <><><><><> DR1: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide all bids and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied.

FCDL Date: 05/24/2018

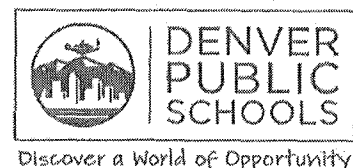
Wave Number: 133

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2019

Consultant Name:
Consultant Number (CRN):
Consultant Employer:

Denver Public Schools

WEB www.dpsk12.org



July 23, 2018

Transmitted via E-rate Productivity Center

Letter of Appeal
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

To Whom It May Concern:

This is a letter of appeal relating to the REVISED Funding Commitment Decision Letter issued by USAC on May 24, 2018 for the following:

Appellant/Organization Name	Denver School District 1
BEN	142154
Form 471	775967
Funding Request Numbers	2114845
SPIN:	143003990 – Comcast Business Communications

The reasons cited for the decision were:

DR1: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide all bids and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied. <><><><><>

Basis for Appeal:

DPS does not agree with the assessment that disbursed funds should be recovered for FRN #2611669.

In response to DR1: As indicated on the Form 470 Application Number 715350000884545, no. 8(b), DPS did not release and did not intend to release an RFP for these services. As DPS has indicated in the past, the individual who was in charge of this process, Bud Bullard, is no longer an employee of DPS. However, Mr. Bullard's email communications were retained and reviewed. This finding assumes additional documentation was received and not retained whereas based on our exhaustive research, there were no indications that any vendor(s) responses to the Form 470 in Mr. Bullard's email communications were received. It appears that DPS continued to receive the services from the incumbent vendor. Therefore, there would be no additional documentation regarding the competitive bidding process beyond the Form 470.

Currently, DPS issues formal RFPs for all month-to-month services and retains all documentation. However, in Funding Year 2011, DPS reasonably believed that the Form 470 was sufficient with regards to month-to-month services.

We respectfully request that the Commitment Adjustment Letter issued by USAC on May 24, 2018 be overturned and that funding for the FRN be approved as it was originally requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Ferrandino', with a long horizontal flourish extending to the right.

Mark Ferrandino
Chief Financial Officer
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203
Phone: 720-423-3490
Email: MARK_FERRANDINO@dpsk12.org

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Billed Entity Number: 142154
Form 471 Application Number: 775967
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2011-2012

August 20, 2018

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Re: Applicant Name: DENVER SCHOOL DISTRICT 1
Billed Entity Number: 142154
Form 471 Application Number: 775967
Funding Request Number(s): 2114845
Your Correspondence Dated: July 23, 2018

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2011 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2114845
Decision on Appeal: Denied
Explanation:

- FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. The record shows that during application review, applicant was asked to provide all bids and any vendor evaluation documentation associated with the above listed funding request number (FRN) and applicant failed to do so. Therefore, the FRN was denied. In your appeal, you did not demonstrate that USAC's decision was incorrect. Consequently, your appeal is denied.

FCC rules require that the schools, libraries, and any consortium that includes schools or libraries shall retain all documents related to the application for, receipt, and delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year, or the service delivery deadline for the

funding request. Any document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(1). Service providers shall retain documents related to the delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year or the service delivery deadline for the funding request. Any other document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(2). Schools, libraries, consortia, and service providers are further required to produce such records upon request of any representative (including any auditor) appointed by a state education department, the Administrator, the FCC or any local, state or federal agency with jurisdiction over the entity. See 47 C.F.R. sec. 54.516(b).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Rosy Campos

Attachment 6



Universal Service Administrative Company

Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2012: 07/01/2012 - 06/30/2013)

May 29, 2018

Alex Sund
DENVER SCHOOL DISTRICT 1
780 Grant St
Denver, CO 80203-2907

Re: Form 471 Application Number: 840695
Billed Entity Number (BEN): 142154
Billed Entity FCC RN: 0011753191
Applicant's Form Identifier: 471-Yr15/11

Thank you for your Funding Year 2012 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$194,481.26 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,
 - Applicant BEN and Service Provider Identification Number (SPIN),
 - Form 471 Application Number 840695 as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2012," AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
 Schools and Libraries Division - Correspondence Unit
 30 Lanidex Plaza West
 PO Box 685
 Parsippany, NJ 07054-0685

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program.

Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

Form 471 Application Number: 840695
Funding Request Number: 2287057
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 892360000943612
SPIN: 143006742
Service Provider Name: Sprint Spectrum, L.P.
Contract Number: MTM
Billing Account Number: 709199306
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2012
Service End Date: 06/30/2013
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 1415745
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$240,100.32
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$240,100.32
Discount Percentage Approved by the USAC: 81%
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: MR1: The FRN was modified from \$20008.36/mo. to \$16637.36/mo. to agree with the applicant documentation. <<<<<<<<
MR2: In consultation with the applicant, the service provider has been changed to Sprint Spectrum, L.P., SPIN number 143006742. <<<<<<<< DR1: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide all bids and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied.

FCDL Date: 05/29/2018
Wave Number: 127
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2019
Consultant Name:
Consultant Number (CRN):
Consultant Employer:

July 26, 2018

Transmitted via Email and E-rate Productivity Center

Letter of Appeal
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

To Whom It May Concern:

This is a letter of appeal relating to the Funding Commitment Decision Letter issued by USAC on May 29, 2018 for the following:

Appellant/Organization Name	Denver School District 1
BEN	142154
Form 471	840695
Funding Request Numbers	2287057
SPIN:	143006742 – Sprint Spectrum, L.P.

The reasons cited for the decision were:

DR1: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide all bids and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied.

Basis for Appeal:

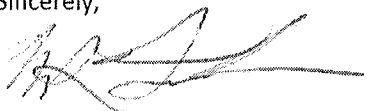
DPS does not agree with the assessment that disbursed funds should be denied for FRN #2287057.

In response to DR1: As indicated on the Form 470 Application Number 892360000943612, no. 8(b), DPS did not release and did not intend to release an RFP for these services. As DPS has indicated in the past, the individual who was in charge of this process, Bud Bullard, is no longer an employee of DPS. However, Mr. Bullard's email communications were retained and reviewed. This finding assumes additional documentation was received and not retained whereas based on our exhaustive research, there were no indications that any vendor(s) responses to the Form 470 in Mr. Bullard's email communications were received. It appears that DPS continued to receive the services from the incumbent vendor. Therefore, there is would be no additional documentation regarding the competitive bidding process beyond the Form 470.

Currently, DPS issues formal RFPs for all month-to-month services and retains all documentation. However, in Funding Year 2012, DPS reasonably believed that the Form 470 was sufficient with regards to month-to-month services.

We respectfully request that the Commitment Adjustment Letter issued by USAC on May 29, 2018 be overturned and that funding for the FRN be approved as it was originally requested.

Sincerely,



Mark Ferrandino
Chief Financial Officer
Denver Public Schools

1860 Lincoln Street
Denver, CO 80203
Phone: 720-423-3490
Email: MARK_FERRANDINO@dpsk12.org

Enclosure: USAC Denial FCDLs FRNs 2287057, 2410602, 2399580, 2400707.pdf

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Billed Entity Number: 142154
Form 471 Application Number: 840695
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2012-2013

August 20, 2018

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Re: Applicant Name: DENVER SCHOOL DISTRICT 1
Billed Entity Number: 142154
Form 471 Application Number: 840695
Funding Request Number(s): 2287057
Your Correspondence Dated: July 26, 2018

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2012 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2287057
Decision on Appeal: Denied
Explanation:

- FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. The record shows that during application review, applicant was asked to provide all bids and any vendor evaluation documentation associated with the above listed funding request number (FRN) and applicant failed to do so. Therefore, the FRN was denied. In your appeal, you did not demonstrate that USAC's decision was incorrect. Consequently, your appeal is denied.

FCC rules require that the schools, libraries, and any consortium that includes schools or libraries shall retain all documents related to the application for, receipt, and delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year, or the service delivery deadline for the

funding request. Any document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(1). Service providers shall retain documents related to the delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year or the service delivery deadline for the funding request. Any other document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec.54.516(a)(2). Schools, libraries, consortia, and service providers are further required to produce such records upon request of any representative (including any auditor) appointed by a state education department, the Administrator, the FCC or any local, state or federal agency with jurisdiction over the entity. See 47 C.F.R. sec. 54.516(b).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Rosy Campos

Attachment 7

Attachment 7A



University System of America Council

Schools and Libraries Division Correspondence Unit
30 Lanidex Plaza West
PO Box 685 Parsippany, NJ 07054-0685

TIME SENSITIVE MATERIAL

Alex Sund
DENVER SCHOOL DISTRICT 1
780 Grant St
Denver, CO 80203-2907



Universal Service Administrative Company

Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2013: 07/01/2013 - 06/30/2014)

May 31, 2018

Alex Sund
DENVER SCHOOL DISTRICT 1
780 Grant St
Denver, CO 80203-2907

Re: FCC Form 471 Application Number: 878975

Billed Entity Number (BEN): 142154

Billed Entity FCC Registration Number (FCC RN): 0011753191

Applicant's Form Identifier: 471-Yr16/4

Thank you for your Funding Year 2013 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the FCC Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$29,250.40 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Guide to USAC Letter Reports in the Reference Area of our website.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full.
- Review technology planning approval requirements.
- Review Children's Internet Protection Act (CIPA) requirements.
- File FCC Form 486.
- Invoice USAC using the FCC Form 474, Service Provider Invoice (SPI) Form, or FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form, - as products and services are being delivered and billed.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., FCDL) and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,
 - Applicant BEN and Service Provider Identification Number (SPIN),
 - FCC Form 471 Application Number 878975 and the Funding Request Number (FRN) or Numbers as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2013," AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
 Schools and Libraries Division - Correspondence Unit
 30 Lanidex Plaza West
 PO Box 685
 Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, please see "Appeals" in the Schools and Libraries section of the USAC website.

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program.

If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to Disposal or Trade-in of Equipment posted in the Reference Area of our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
 Billed Entity Name: DENVER SCHOOL DISTRICT 1
 BEN: 142154
 Funding Year: 2013

Comment on RAL corrections: The applicant did not submit any RAL corrections.

FCC Form 471 Application Number: 878975
 Funding Request Number: 2399580
 Funding Status: Not Funded
 Category of Service: Telecommunications Service
 FCC Form 470 Application Number: 730260001044555
 SPIN: 143003990
 Service Provider Name: Comcast Business Communications
 Contract Number: MTM
 Billing Account Number: 4233200
 Multiple Billing Account Numbers: N
 Service Start Date: 07/01/2013
 Service End Date: 06/30/2014
 Contract Award Date: N/A
 Contract Expiration Date: N/A
 Shared Worksheet Number: 1503730
 Number of Months Recurring Service Provided in Funding Year: 12
 Annual Pre-discount Amount for Eligible Recurring Charges: \$36,111.60
 Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
 Pre-discount Amount: \$36,111.60
 Discount Percentage Approved by the USAC: 81%
 Funding Commitment Decision: \$0.00 - Bidding Violation
 Funding Commitment Decision Explanation: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide any Request for Proposals, all bids, and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied.

FCDL Date: 05/31/2018
 Wave Number: 130
 Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2019
 Consultant Name:
 Consultant Registration Number (CRN):
 Consultant Employer:

July 26, 2018

Transmitted via Email and E-rate Productivity Center

Letter of Appeal
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

To Whom It May Concern:

This is a letter of appeal relating to the Funding Commitment Decision Letter issued by USAC on May 31, 2018 for the following:

Appellant/Organization Name	Denver School District 1
BEN	142154
Form 471	878975
Funding Request Numbers	2399580
SPIN:	143003990 – Comcast Business Communications

The reasons cited for the decision were:

FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide any Request for Proposals, all bids, and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied.

Basis for Appeal:

DPS does not agree with the assessment that disbursed funds should be denied for FRN #2399580.

In response to denial notification, as indicated on the Form 470 Application Number 730260001044555, Yes. 8(b), DPS did release and RFP however, it did not release an RFP for the month-to-month services associated with this FRN. The RFP in question is for a separate FRN, therefore, there are no RFP materials associated with this FRN.

As DPS has indicated in the past, the individual who was in charge of this process, Bud Bullard, is no longer an employee of DPS. However, Mr. Bullard's email communications were retained and reviewed. This finding assumes additional documentation was received and not retained whereas based on our exhaustive research, there were no indications that any vendor(s) responses to the Form 470 in Mr. Bullard's email communications were received. It appears that DPS continued to receive the services from the incumbent vendor. Therefore, there is would be no additional documentation regarding the competitive bidding process beyond the Form 470.

Currently, DPS issues formal RFPs for all month-to-month services and retains all documentation. However, in Funding Year 2013, DPS reasonably believed that the Form 470 was sufficient with regards to month-to-month services.

We respectfully request that the Commitment Adjustment Letter issued by USAC on May 31, 2018 be overturned and that funding for the FRN be approved as it was originally requested.

Sincerely,

A handwritten signature in black ink, appearing to be "M. P. S.", written over a horizontal line.

Mark Ferrandino
Chief Financial Officer
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203
Phone: 720-423-3490
Email: MARK_FERRANDINO@dpsk12.org

Enclosure: USAC Denial FCDLs FRNs 2287057, 2410602, 2399580, 2400707.pdf

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Billed Entity Number: 142154
Form 471 Application Number: 878975
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2013-2014

August 20, 2018

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Re: Applicant Name: DENVER SCHOOL DISTRICT 1
Billed Entity Number: 142154
Form 471 Application Number: 878975
Funding Request Number(s): 2399580
Your Correspondence Dated: July 26, 2018

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2013 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2399580
Decision on Appeal: **Denied**
Explanation:

- FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. The record shows that during application review, applicant was asked to provide any Request for Proposals, all bids, and any vendor evaluation documentation associated with the above listed funding request number (FRN) and applicant failed to do so. Therefore, the FRN was denied. In your appeal, you did not demonstrate that USAC's decision was incorrect. Consequently, your appeal is denied.

FCC rules require that the schools, libraries, and any consortium that includes schools or libraries shall retain all documents related to the application for, receipt, and delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year, or the service delivery deadline for the

funding request. Any document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(1). Service providers shall retain documents related to the delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year or the service delivery deadline for the funding request. Any other document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec.54.516(a)(2). Schools, libraries, consortia, and service providers are further required to produce such records upon request of any representative (including any auditor) appointed by a state education department, the Administrator, the FCC or any local, state or federal agency with jurisdiction over the entity. See 47 C.F.R. sec. 54.516(b).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Rosy Campos

Attachment 7B



Schools and Libraries Division Correspondence Unit
30 Lanidex Plaza West
PO Box 685 Parsippany, NJ 07054-0685

TIME SENSITIVE MATERIAL

Alex Sund
DENVER SCHOOL DISTRICT 1
780 Grant St
Denver, CO 80203-2907



Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2013: 07/01/2013 - 06/30/2014)

May 31, 2018

Alex Sund
DENVER SCHOOL DISTRICT 1
780 Grant St
Denver, CO 80203-2907

Re: FCC Form 471 Application Number: 879969
Billed Entity Number (BEN): 142154
Billed Entity FCC Registration Number (FCC RN): 0011753191
Applicant's Form Identifier: 471-Yr16/7

Thank you for your Funding Year 2013 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the FCC Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$235,176.81 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Guide to USAC Letter Reports in the Reference Area of our website.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full.
- Review technology planning approval requirements.
- Review Children's Internet Protection Act (CIPA) requirements.
- File FCC Form 486.
- Invoice USAC using the FCC Form 474, Service Provider Invoice (SPI) Form, or FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form, - as products and services are being delivered and billed.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., FCDL) and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,
 - Applicant BEN and Service Provider Identification Number (SPIN),
 - FCC Form 471 Application Number 879969 and the Funding Request Number (FRN) or Numbers as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2013," AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
 Schools and Libraries Division - Correspondence Unit
 30 Lanidex Plaza West
 PO Box 685
 Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, please see "Appeals" in the Schools and Libraries section of the USAC website.

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program.

If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to Disposal or Trade-in of Equipment posted in the Reference Area of our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
 Billed Entity Name: DENVER SCHOOL DISTRICT 1
 BEN: 142154
 Funding Year: 2013

Comment on RAL corrections: The discount for entity Pitt-Waller #16038960 was decreased from 90% to 80%. The

applicant failed to supply documentation to support the requested discount. As a result of this action, the shared discount was decreased from 80% to 79%.

FCC Form 471 Application Number: 879969

Funding Request Number: 2400707

Funding Status: Not Funded

Category of Service: Telecommunications Service

FCC Form 470 Application Number: 730260001044555

SPIN: 143000677

Service Provider Name: Verizon Wireless (Cellco Partnership)

Contract Number: MTM

Billing Account Number: 765468183

Multiple Billing Account Numbers: N

Service Start Date: 07/01/2013

Service End Date: 06/30/2014

Contract Award Date: N/A

Contract Expiration Date: N/A

Shared Worksheet Number: 1504960

Number of Months Recurring Service Provided in Funding Year: 12

Annual Pre-discount Amount for Eligible Recurring Charges: \$297,692.16

Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00

Pre-discount Amount: \$297,692.16

Discount Percentage Approved by the USAC: 79%

Funding Commitment Decision: \$0.00 - Bidding Violation

Funding Commitment Decision Explanation: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide any Request for Proposals, all bids, and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied.

FCDL Date: 05/31/2018

Wave Number: 130

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2019

Consultant Name:

Consultant Registration Number (CRN):

Consultant Employer:

July 26, 2018

Transmitted via Email and E-rate Productivity Center

Letter of Appeal
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

To Whom It May Concern:

This is a letter of appeal relating to the Funding Commitment Decision Letter issued by USAC on May 31, 2018 for the following:

Appellant/Organization Name	Denver School District 1
BEN	142154
Form 471	879969
Funding Request Numbers	2400707
SPIN:	143000677 – Verizon Wireless (Cellco Partnership)

The reasons cited for the decision were:

FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide any Request for Proposals, all bids, and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied.

Basis for Appeal:

DPS does not agree with the assessment that disbursed funds should be denied for FRN #2400707.

In response to denial notification, as indicated on the Form 470 Application Number 730260001044555, Yes. 8(b), DPS did release and RFP however, it did not release an RFP for the month-to-month services associated with this FRN. The RFP in question is for a separate FRN, therefore, there are no RFP materials associated with this FRN.

As DPS has indicated in the past, the individual who was in charge of this process, Bud Bullard, is no longer an employee of DPS. However, Mr. Bullard's email communications were retained and reviewed. This finding assumes additional documentation was received and not retained whereas based on our exhaustive research, there were no indications that any vendor(s) responses to the Form 470 in Mr. Bullard's email communications were received. It appears that DPS continued to receive the services from the incumbent vendor. Therefore, there is would be no additional documentation regarding the competitive bidding process beyond the Form 470.

Currently, DPS issues formal RFPs for all month-to-month services and retains all documentation. However, in Funding Year 2013, DPS reasonably believed that the Form 470 was sufficient with regards to month-to-month services.

We respectfully request that the Commitment Adjustment Letter issued by USAC on May 31, 2018 be overturned and that funding for the FRN be approved as it was originally requested.

Sincerely,

A handwritten signature in black ink, appearing to be a stylized 'R' followed by a flourish.

Mark Ferrandino
Chief Financial Officer
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203
Phone: 720-423-3490
Email: MARK_FERRANDINO@dpsk12.org

Enclosure: USAC Denial FCDLs FRNs 2287057, 2410602, 2399580, 2400707.pdf

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Billed Entity Number: 142154
Form 471 Application Number: 879969
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2013-2014

August 20, 2018

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Re: Applicant Name: DENVER SCHOOL DISTRICT 1
Billed Entity Number: 142154
Form 471 Application Number: 879969
Funding Request Number(s): 2400707
Your Correspondence Dated: July 26, 2018

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2013 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2400707
Decision on Appeal: Denied
Explanation:

- FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. The record shows that during application review, applicant was asked to provide any Request for Proposals, all bids, and any vendor evaluation documentation associated with the above listed funding request number (FRN) and applicant failed to do so. Therefore, the FRN was denied. In your appeal, you did not demonstrate that USAC's decision was incorrect. Consequently, your appeal is denied.

FCC rules require that the schools, libraries, and any consortium that includes schools or libraries shall retain all documents related to the application for, receipt, and delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year, or the service delivery deadline for the

funding request. Any document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(1). Service providers shall retain documents related to the delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year or the service delivery deadline for the funding request. Any other document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec.54.516(a)(2). Schools, libraries, consortia, and service providers are further required to produce such records upon request of any representative (including any auditor) appointed by a state education department, the Administrator, the FCC or any local, state or federal agency with jurisdiction over the entity. See 47 C.F.R. sec. 54.516(b).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Rosy Campos

Attachment 7C

USAC

Universal Student Administration Company

Schools and Libraries Division Correspondence Unit
30 Lanidex Plaza West
PO Box 685 Parsippany, NJ 07054-0685

TIME SENSITIVE MATERIAL

Alex Sund
DENVER SCHOOL DISTRICT 1
780 Grant St
Denver, CO 80203-2907



Universal Service Administrative Company

Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2013: 07/01/2013 - 06/30/2014)

May 31, 2018

Alex Sund
DENVER SCHOOL DISTRICT 1
780 Grant St
Denver, CO 80203-2907

Re: FCC Form 471 Application Number: 885621
Billed Entity Number (BEN): 142154
Billed Entity FCC Registration Number (FCC RN): 0011753191
Applicant's Form Identifier: 471-Yr16/10

Thank you for your Funding Year 2013 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the FCC Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$201,672.31 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Guide to USAC Letter Reports in the Reference Area of our website.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full.
- Review technology planning approval requirements.
- Review Children's Internet Protection Act (CIPA) requirements.
- File FCC Form 486.
- Invoice USAC using the FCC Form 474, Service Provider Invoice (SPI) Form, or FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form, - as products and services are being delivered and billed.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., FCDL) and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,
 - Applicant BEN and Service Provider Identification Number (SPIN),
 - FCC Form 471 Application Number 885621 and the Funding Request Number (FRN) or Numbers as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2013," AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
 Schools and Libraries Division - Correspondence Unit
 30 Lanidex Plaza West
 PO Box 685
 Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, please see "Appeals" in the Schools and Libraries section of the USAC website.

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program.

If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to Disposal or Trade-in of Equipment posted in the Reference Area of our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
 Billed Entity Name: DENVER SCHOOL DISTRICT 1
 BEN: 142154
 Funding Year: 2013

Comment on RAL corrections: The discount for entity Pitt-Waller #16038960 was decreased from 90% to 80%. The

applicant failed to supply documentation to support the requested discount. As a result of this action, the shared discount was decreased from 80% to 79%.

FCC Form 471 Application Number: 885621

Funding Request Number: 2410602

Funding Status: Not Funded

Category of Service: Telecommunications Service

FCC Form 470 Application Number: 730260001044555

SPIN: 143006742

Service Provider Name: Sprint Spectrum, L.P.

Contract Number: MTM

Billing Account Number: 709199306

Multiple Billing Account Numbers: N

Service Start Date: 07/01/2013

Service End Date: 06/30/2014

Contract Award Date: N/A

Contract Expiration Date: N/A

Shared Worksheet Number: 1512684

Number of Months Recurring Service Provided in Funding Year: 12

Annual Pre-discount Amount for Eligible Recurring Charges: \$255,281.40

Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00

Pre-discount Amount: \$255,281.40

Discount Percentage Approved by the USAC: 79%

Funding Commitment Decision: \$0.00 - Bidding Violation

Funding Commitment Decision Explanation: FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide any Request for Proposals, all bids, and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied.

FCDL Date: 05/31/2018

Wave Number: 130

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2019

Consultant Name:

Consultant Registration Number (CRN):

Consultant Employer:

July 26, 2018

Transmitted via Email and E-rate Productivity Center

Letter of Appeal
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

To Whom It May Concern:

This is a letter of appeal relating to the Funding Commitment Decision Letter issued by USAC on May 31, 2018 for the following:

Appellant/Organization Name	Denver School District 1
BEN	142154
Form 471	885621
Funding Request Numbers	2410602
SPIN:	143006742 – Sprint Spectrum, L.P.

The reasons cited for the decision were:

FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. During application review, you were asked to provide any Request for Proposals, all bids, and any vendor evaluation documentation associated with this funding request and you failed to do so. Therefore, this FRN is denied.

Basis for Appeal:

DPS does not agree with the assessment that disbursed funds should be denied for FRN #2410602.

In response to denial notification, as indicated on the Form 470 Application Number 730260001044555, Yes. 8(b), DPS did release and RFP however, it did not release an RFP for the month-to-month services associated with this FRN. The RFP in question is for a separate FRN, therefore, there are no RFP materials associated with this FRN.

As DPS has indicated in the past, the individual who was in charge of this process, Bud Bullard, is no longer an employee of DPS. However, Mr. Bullard's email communications were retained and reviewed. This finding assumes additional documentation was received and not retained whereas based on our exhaustive research, there were no indications that any vendor(s) responses to the Form 470 in Mr. Bullard's email communications were received. It appears that DPS continued to receive the services from the incumbent vendor. Therefore, there is would be no additional documentation regarding the competitive bidding process beyond the Form 470.

Currently, DPS issues formal RFPs for all month-to-month services and retains all documentation. However, in Funding Year 2013, DPS reasonably believed that the Form 470 was sufficient with regards to month-to-month services.

We respectfully request that the Commitment Adjustment Letter issued by USAC on May 31, 2018 be overturned and that funding for the FRN be approved as it was originally requested.

Sincerely,

A handwritten signature in black ink, appearing to be "B. Bullard", written over a horizontal line.

Mark Ferrandino
Chief Financial Officer
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203
Phone: 720-423-3490
Email: MARK_FERRANDINO@dpsk12.org

Enclosure: USAC Denial FCDLs FRNs 2287057, 2410602, 2399580, 2400707.pdf

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Billed Entity Number: 142154
Form 471 Application Number: 885621
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2013-2014

August 20, 2018

Mark Ferrandino
Denver Public Schools
1860 Lincoln Street
Denver, CO 80203

Re: Applicant Name: DENVER SCHOOL DISTRICT 1
Billed Entity Number: 142154
Form 471 Application Number: 885621
Funding Request Number(s): 2410602
Your Correspondence Dated: July 26, 2018

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2013 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2410602
Decision on Appeal: **Denied**
Explanation:

- FCC Rules require applicants to retain all documentation regarding the competitive bidding process for the specified period of time. The record shows that during application review, applicant was asked to provide any Request for Proposals, all bids, and any vendor evaluation documentation associated with the above listed funding request number (FRN) and applicant failed to do so. Therefore, the FRN was denied. In your appeal, you did not demonstrate that USAC's decision was incorrect. Consequently, your appeal is denied.

FCC rules require that the schools, libraries, and any consortium that includes schools or libraries shall retain all documents related to the application for, receipt, and delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year, or the service delivery deadline for the

funding request. Any document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(1). Service providers shall retain documents related to the delivery of supported services for at least 10 years after the latter of the last day of the applicable funding year or the service delivery deadline for the funding request. Any other document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. See 47 C.F.R. sec. 54.516(a)(2). Schools, libraries, consortia, and service providers are further required to produce such records upon request of any representative (including any auditor) appointed by a state education department, the Administrator, the FCC or any local, state or federal agency with jurisdiction over the entity. See 47 C.F.R. sec. 54.516(b).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Rosy Campos

Attachment 8

PROJECT ZEPHYR

REPORT OF
ALVAREZ & MARSAL GLOBAL FORENSIC AND DISPUTE SERVICES, LLC

June 14, 2013



Alvarez & Marsal Global Forensic and Dispute Services, LLC
Columbia Square, 555 Thirteenth Street Northwest
Washington, D.C. 20004, United States of America
North America + Latin America + Europe + Middle East + Asia

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I. ASSIGNMENT**A. Investigation into Denver Public Schools Department of Technology Services E-Rate Contracting Process and the Activities of former Employee Bud Bullard.**

1. The Office of the General Counsel of Denver Public Schools (“DPS”) retained Alvarez & Marsal Global Forensic and Dispute Services, LLC (“Alvarez & Marsal” or “A&M”) to investigate: 1) whether its former employee, Bud Bullard, engaged in violations of DPS policies and procedures related to procurement; 2) whether violations occurred in DPS’ administration of the Federal Communication Commission’s (“FCC”) Schools and Libraries Universal Service Support Mechanism (commonly referred to as the E-Rate program), particularly related to contracting processes and/or administration of projects that received funding through E-Rate; and, 3) general DPS purchasing and bidding procedures related to E-Rate contracts.
2. Pursuant to discussions with DPS personnel, we generally restricted our analysis to E-Rate contracts and associated vendors for the DPS fiscal years ending June 30, 2010, 2011, 2012, and approximately the first half of the fiscal year ending June 30, 2013. If the contract reviewed was a multi-year contract that was awarded prior to the relevant years, we considered only the portion of the contract related to E-Rate applications in the period subject to our analysis.
3. DPS has granted us unlimited access to personnel and has cooperated fully with our requests for interviews and documents. DPS has also provided us with information, discussed below, without prior request from us.

B. Allegations

4. DPS has received several allegations of improper conduct by Mr. Bullard, including:
 - a. improper receipt of things of value from persons or companies doing business with DPS, such as meals, a vehicle at a reduced price, trips, tickets, and suites to sporting events; and,
 - b. the steering of contracts to certain preferred vendors.

II. OBJECTIVES

5. Determine whether evidence exists that:
 - a. E-Rate rules and protocols were violated and/or whether DPS rules and policies were violated by Mr. Bullard or others.
 - b. Indicates that Mr. Bullard engaged in conduct with vendors that violated DPS and FCC policies for awarded E-Rate contracts.
6. Develop recommendations, based on best practices, for improving the DPS procurement process. We developed these recommendations from a review of DPS Policies and Procedures and interviews of selected DPS personnel involved in procurement.

III. RELEVANT POLICIES AND PROCEDURES

A. DPS Policies and Procedures Manual

7. The following Policies and Procedures of DPS are relevant to the scope of A&M's investigation:

1. Policy DJG - Vendor Relations

8. Policy DJG contains the following provisions relevant to our investigation:
 - a. No favoritism shall be extended to any vendor. All employees of the district must exercise sound judgment in avoiding conflicts of interest or the appearance of impropriety in dealing with vendors. Gifts or gratuities of other than nominal value or which might obligate a district employee in any manner shall be politely and firmly refused.
 - b. Any vendor or bidder who offers items in excess or in violation of the spirit of this policy may be disqualified indefinitely.
 - c. No person officially connected with or employed in the public schools shall be an agent or be in any way pecuniary or beneficially interested in or receive any compensation or reward of any kind from any vendor for the sale of supplies,

material, equipment or services to the district without the express prior written consent of the Board of Education.¹

2. Policy GBEA - Staff Ethics/Conflict of Interest

9. Policy GBEA contains the following provisions relevant to our investigation:

- a. It is the intention of the Board of Education to prevent the direct or indirect realization of significant personal material or monetary gain by district employees resulting from or in the discharge of an employee's job responsibilities and relationship with the district. Therefore no employee of the district shall:
 - 1) Offer or accept money or any accommodation, material or service value for or in consideration of obtaining an appointment, promotion or privilege within the school system
 - 2) Accept any gift, favor, service, or accommodation that might give the appearance of tending to influence the discharge of duties.
 - 3) Disclose information gained by virtue of office or employment to any person not entitled thereto or otherwise use such information for personal gain or benefit or for the unjust gain or benefit of another
 - 4) Sell any books, instructional supplies, musical instruments, equipment, or other school supplies to any student or to the parents/guardian of a student who attends the school served by the employee unless prior approval has been obtained from the Board.
 - 5) Hire, supervise, or appraise any employee that is an immediate family member. For the purposes of this policy, immediate family is defined as follows: Spouse; children, step-children, and their spouses; brothers and brothers-in-law; sisters and sisters-in-law; parents and parents-in-law; grandparents and grandparents-in-law; grandchildren and their spouses; and members of the immediate household.

¹ Adopted September 1, 1956, C.R.S. 24-18-104.

Note: Any familial relationship between employees within a department or school should be disclosed to the employee's direct supervisor.

- b. Any employee who knows or may reasonably be expected to know that he has a material financial interest in any transaction under consideration by the district not of general application shall disclose such interest to his supervisor for determination as to participating or abstaining in such considerations.
- c. No employee shall be a contractor or subcontractor with the school system other than within the terms of his appointment or contract of employment or have a material financial interest in any contract or subcontract with the school system.
- d. The provisions set forth above shall not be applicable to:
 - 1) The sale, lease or exchange of real property between an employee and the district provided the employee does not participate in any way as an employee in such sale, lease or exchange and this fact is set forth as a matter of public record by the superintendent or designee
 - 2) An employee of the district whose duties are non-supervisory and who does not on behalf of the district participate in or have authority to participate in the procurement or letting of a contract or subcontract or does not in any manner influence the approval or disapproval of its performance, provided that the employee's interest in the contract or subcontract is disclosed in writing to the superintendent or designee.
- e. A material financial interest shall include a personal and pecuniary interest accruing to an employee or spouse or to any other relative who resides in the same household. Ownership of an interest of five percent or more in a firm, partnership or other business or aggregate annual income, exclusive of dividend and interest income, of \$5,000 or more from a firm, partnership or other business shall be deemed to be a material financial interest in such firm, partnership, or business.²

² DPS Policy GBEA obtained from DPS website at <http://www.dpsk12.org/policies/>.

3. Policy GBEA-E - Staff Ethics/Conflict of Interest

10. Policy GBEA-E contains the following provision relevant to our investigation: According to Colorado Revised Statutes 24-18-105, the following ethical principles for school district employees, "are intended as guides to conduct and do not constitute violations as such of the public trust of office or employment..."
- a. An employee "should not acquire or hold an interest in any business or undertaking which he has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by an agency over which he has substantive authority."
 - b. An employee "should not, within six months following the termination of his... employment, obtain employment in which he will take direct advantage, unavailable to others, of matters with which he was directly involved during his term of employment. These matters include rules, other than rules of general application, which he actively helped to formulate, and applications, claims or contested cases in the consideration of which he was an active participant."
 - c. An employee "should not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when he has a substantial financial interest in a competing firm or undertaking."

4. Policy GBEBC - Gifts to and Solicitations by Staff

a. Gifts from companies

11. All employees of the Board are prohibited from accepting gifts of other than nominal value from companies or organizations doing business with the school district. Exceptions to this policy are the acceptance of minor items which are generally distributed by the company or organization through its public relations program.

b. Solicitations

12. The superintendent annually shall review requests from community agencies for campaigns to secure cash contributions from employees and shall select and approve a single campaign drive among employees.

13. The superintendent may authorize voluntary employee payroll deduction procedures for the approved campaign.³

B. Requirements contained in DPS' Standard Request for Proposals

14. Section VIII.A. Contractual Obligation: Local, State and Federal Compliance Requirements, of the General Terms and Conditions section of DPS' standard Request for Proposal ("RFP") documents states the following:

Successful Vendors shall be familiar and comply with all local, state, and federal directives, ordinances, rules, orders, and laws applicable to, and affected by this contract including, but not limited to, Equal Employment Opportunity (EEO) Regulations, Occupational Safety and Health Act (OSHA), and Title II of the Americans with Disabilities Act (ADA).

15. This provision requires a DPS vendor to become familiar with, and adhere to, the relevant regulations to which its contract may be subject. In addition to the cited EEO, OSHA, and ADA requirements, these regulations include DPS policies and procedures and, if applicable, the requirements of the E-Rate program.

C. Relevant FCC Regulations Regarding the E-Rate Program

16. Relevant E-Rate regulations related to our investigation include the following:
- a. All entities participating in the schools and libraries universal service support program must conduct a fair and open competitive bidding process, consistent with all requirements set forth in this subpart. Note to paragraph (a): The following is an illustrative list of activities or behaviors that would not result in a fair and open competitive bidding process: the applicant for supported services has a relationship with a service provider that would unfairly influence the outcome of a competition or would furnish the service provider with inside information; someone other than the applicant or an authorized representative of the applicant prepares, signs, and submits the FCC Form 470 and certification; a service provider representative is listed as the

³ Adopted November 3, 1958; Revised September 17, 1976.

FCC Form 470 contact person and allows that service provider to participate in the competitive bidding process; the service provider prepares the applicant's FCC Form 470 or participates in the bid evaluation or vendor selection process in any way; the applicant turns over to a service provider the responsibility for ensuring a fair and open competitive bidding process; an applicant employee with a role in the service provider selection process also has an ownership interest in the service provider seeking to participate in the competitive bidding process; and the applicant's FCC Form 470 does not describe the supported services with sufficient specificity to enable interested service providers to submit responsive bids.⁴

- b. All bids submitted for eligible products and services will be carefully considered, with price being the primary factor, and the bid selected will be for the most cost-effective service offering consistent with §54.511.⁵
- c. Gift Restrictions. 47 C.F.R. §54.503(d). (1) Subject to subparagraphs (3) and (4) of this paragraph, an eligible school, library, or consortium that includes an eligible school or library may not directly or indirectly solicit or accept any gift, gratuity, favor, entertainment, loan, or any other thing of value from a service provider participating in or seeking to participate in the schools and libraries universal service program. No such service provider shall offer or provide any such gift, gratuity, favor, entertainment, loan, or other thing of value except as otherwise provided herein. Modest refreshments not offered as part of a meal, items with little intrinsic value intended solely for presentation, and items worth \$20 or less, including meals, may be offered or provided, and accepted by any individuals or entities subject to this rule, if the value of these items received by any individual does not exceed \$50 from any one service provider per funding year. The \$50 amount for any service provider shall be

4 47 C.F.R. §54.503(a), Effective January 3, 2011. Prior to January 3, 2011, the FCC did not have a codified rule specifically requiring that the competitive bidding process be conducted by an E-Rate applicant in a fair and open manner, but it had “held in numerous orders that the competitive bidding process must be fair and open.” See Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Notice of Proposed Rulemaking, 22 FCC Rcd 6872 ¶ 26 (May 20, 2010) (E-Rate Broadband NPRM) (citing, e.g., Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Third Report and Order, 18 FCC Rcd 26912 ¶ 66 (2003)).

5 47 C.F.R. §54.503(c)(2)(vii), Effective January 3, 2011.

calculated as the aggregate value of all gifts provided during a funding year by the individuals specified in subparagraph (2)(ii).⁶

IV. PRIOR DPS INVESTIGATIONS RELATED TO ALLEGATIONS AGAINST MR. BULLARD

A. DPS Internal Investigation Report Dated February 28, 2013

17. Shortly after receiving allegations and obtaining corroborating information from several of its employees regarding wrongdoing by Mr. Bullard, Director, Network & Systems Administration in the DPS Department of Technology Services (“DoTS”), DPS quickly commenced an investigation. On February 6, 2013, DPS commenced a formal investigation into the allegations that Mr. Bullard received improper gifts and maintained inappropriate relationships with DPS Vendors, including those receiving funding from the E-Rate program.
18. DPS placed Mr. Bullard on paid administrative leave on February 7, 2013. That same day, DPS’ internal investigator, Scott Barnes, interviewed Alex Sund, Robert Knight, John Welter, Kurt Grindeland, Tim Bostwick, and David Howard – all employees of DPS working in DPS’ Department of Technology Services (“DoTS”). Mr. Barnes also interviewed Mike Messick, a former DPS employee, that same day.
19. The next day, February 8, 2013, Scott Barnes interviewed Brad Yohe, Pola Swartz, Lorraine Olson of DoTS, and Eric Wagner, a former employee of DoTS. Another former employee of DoTS, Jerry Brinkley, was also interviewed that same day.
20. Mr. Barnes interviewed Mr. Bullard and Scott Hatfield, a former employee of DoTS, on February 11, 2013. Mr. Barnes also conducted a follow-up phone call to Mr. Messick on the same date to request materials that Mr. Messick reported providing to the FCC. To date, Mr. Messick has not produced such documentation.
21. Mr. Bullard was contacted regarding media inquiries on February 19 and then interviewed by Mr. Barnes a second time on February 20. Mr. Barnes submitted a final

⁶ 47 C.F.R. §54.503(d), Effective January 3, 2011. Prior to January 3, 2011, the FCC did not have a codified rule relating to gifts, but it had “held in numerous orders that the competitive bidding process must be fair and open.” E-Rate Broadband NPRM ¶ 26.

report on February 28 (**Attachment 1**). That report identified violations of both DPS policies and E-Rate program regulations. Based on this report, DPS terminated Mr. Bullard for cause on March 5, 2013. A timeline of the DPS internal investigation is presented at **Attachment 2**.

22. Prior to Mr. Bullard's termination, DPS self-reported these allegations to USAC Associate General Counsel, Ms. Johnnay Schrieber, in a February 26, 2013 letter from DPS' attorney Ari Q. Fitzgerald of HoganLovells.
23. On February 22, 2013, shortly after DPS commenced its internal investigation, the Office of the General Counsel contacted Alvarez & Marsal to discuss the conduct of an independent investigation related to the allegations. A&M commenced its investigation on or about February 23, 2013.

B. DPS 2002 Department of Safety and Security Investigation

24. Pursuant to a November 7, 2002, request by Andrew Pettigrew, Assistant Superintendent for DPS Security, an investigation commenced to determine the validity of a complaint made by a DPS employee that "... patch cords and cables, being systematically pilfered by DoTS management personnel."⁷ Craig Ramsey of DPS Internal Audit and Michael C. Ralph of DPS Department of Safety and Security were responsible for the investigation. A report dated November 21, 2002, prepared by Michael C. Ralph concluded the investigation (**Attachment 3**).⁸ The report disclosed no irregularities in the acquisition of material and the investigation did not find any indication of pilfering. The investigation was closed with the conclusion that the complaint was unfounded.
25. According to the report, Joe Jaksha, a technician in DoTS, lodged the theft complaint because he believed that "Bud Bullard, has employed his father Vern Bullard as a Project Manager and that Vern behaves protectively of Bud when technicians inquire what

⁷ November 21, 2007, report, ¶3.

⁸ This report also references two exhibits that were not provided in the copy that was provided to us. Exhibit A was a copy of the e-mail from Jaksha to Pettigrew, dated November 6, 2002. Exhibit B was a copy of the roster naming the 13 technicians assigned to Bud Bullard's department who were interviewed in the course of the investigation.

becomes of extra materials after a project.” Jaksha also alleged that Mr. Bullard was “overly friendly” with two materials vendors, Graybar and Panduit.

26. Mr. Bullard was interviewed and stated that the “... the e-mail complaint was probably predicated upon a recent environment of mistrust within the technicians over concerns that he considers are absurd.” He further stated that, “Had the concern been addressed to him initially he believes the misperception would have been answered.”⁹
27. The excess materials inventory related to the theft investigation was estimated to be valued between \$140,000 and \$300,000 by at least two interviewees. At the time of the investigation, DoTS did not maintain a detailed inventory list for excess materials.
28. The 13 technicians assigned to Mr. Bullard’s department were individually interviewed and given the opportunity to disclose any information they may have been aware of that involved direct knowledge or rumor of misappropriation or pilfering of DPS property. All stated that they were unaware of any such activity.

C. **DPS 2003 Internal Audit Investigation**

29. This investigation stemmed from an anonymous letter sent to Dr. Jerry Wartgow, then Superintendent of DPS, on June 4, 2003 (**Attachment 4**). This letter was written by someone who claimed that in their “circuitous association with a government auditing of Qwest Communications, the business practices of Mr. Troy Seyfer, Former Qwest Communications National Account Manager ha[d] been highlighted with the necessity of further auditing.” It identified two Qwest refund checks made payable to “Denver School District 1” and mailed “c/o Bullard 780 Grant Street, Denver, CO 80203.” The anonymous source reported that further investigation revealed that the two checks, totaling \$1,326,321.36, were purportedly returned to Qwest.¹⁰
30. We reviewed a DPS document titled “DoTS Investigation Regarding Quest [sic] Checks” (**Attachment 5**) prepared following receipt of the June 4, 2003 anonymous letter. This

9 November 5, 2002, report ¶8.

10 Check No. 0001052935 for \$493,861.93 dated 10/23/2002 and 0001034056 for \$832,459.43 dated 9/13/2002.

document indicates that Qwest reported to DPS investigators that DoTS personnel requested a credit instead of the refund checks because they did not want the funds to go back to the DPS general fund. DoTS then directed Qwest to apply the credit against specific invoices. Qwest reported that they did not have purchase order numbers relating to most of the credit transactions. Mr. Bullard indicated that purchase orders were not prepared for these transactions as DoTS used the credit for payment.

31. Mr. Ramsey of Internal Audit reported to us, in connection with our 2013 investigation, that this matter was brought to the attention of the Audit and Finance Committee of the Board of Education in 2003. Mr. Ramsey further stated that the focus of the investigation was the generation of the credits and ensuring that such an event did not happen in the future. While Mr. Ramsey did recall having the cancelled checks from Qwest in his files, he could not locate them.
32. Mr. Ramsey believed that Mr. Bullard worked at Qwest before joining DPS. However, our investigation revealed no such employment history.
33. Mr. Ramsey also thought that Qwest purchases were not being put out to bid (sole source) and that DoTS was not going through the proper purchasing process. Such a result would be consistent with DoTS use of the credit generated by the return of the two checks.
34. We noted evidence that certain of the other allegations in the anonymous letter related to “business practices” were investigated. Certain of the current allegations against Mr. Bullard were highlighted in **Attachment 5**. Examples of these are:
 - a. “Steve Dodd has general concerns about Bud’s business practices and Telecomm transactions.”
 - b. “Bud is friends with the Cisco sales rep (receives sports tickets, trips, and dinners).”
35. Mr. Ramsey stated that he discussed the Key Facts page of **Attachment 5** with the DPS Board of Education’s Finance and Audit committee, the CFO, and the controller.

Ultimately, DPS eliminated the DoTS internal accounting position and required DoTS to run its purchase orders through the regular purchasing process.¹¹

36. Based on our interviews with Mr. Ramsey, the 2003 allegations related to DoTS purchasing procedures were brought to the attention of the Audit Committee of the Board. Because the 2003 investigation focused on the generation of the credits and on assuring that such an event not happen in the future, it appears that no additional investigation was performed on other areas of potential violations.

D. Apparent FBI Investigation Related to Allegations against Mr. Bullard

37. During the conclusion of our interview with Kristin Scott of CenturyLink, formerly known as Qwest Corp., the attorney present on behalf CenturyLink, Cliff Stricklin, informed us that the FBI had approached Qwest approximately two years ago, making some of the same inquiries into Mr. Bullard's activities as those being made in the current investigation. He said that the FBI had only approached Qwest once, and that there had been no further contact. At present, we cannot determine whether the FBI investigation continues and we were unable to confirm this report through other sources.

V. DETAILED PROCEDURES

38. A&M performed the following procedures:
 - a. Reviewed the FCC's regulations regarding the E-Rate program¹² and the Universal Service Administration Company's ("USAC") presentation regarding E-Rate program compliance.¹³

11 Steve Dodd was Director of Tech Business Operations from March 1, 2000 until his position was eliminated on September 30, 2004. He was rehired as a Temporary Employee on December 1, 2004 and served in that capacity until September 1, 2011, when he voluntarily resigned.

12 Sixth Report and Order adopted September 23, 2010; released September 28, 2010, including, but not limited to, Appendix A - Final Rules.

13 Slides from E-Rate Program Compliance Presentation, May 10, 2012 - Atlanta and May 15, 2012 - Los Angeles.

- b. Obtained and reviewed relevant DPS' Policies and Procedures, including: DJG - Vendor Relations, GBEA - Staff Ethics/Conflict of Interest, GEAA-E - Staff Ethics/Conflict of Interest, GBEC - Gifts to and Solicitation by Staff to understand the relevant DPS policies and compliance thresholds.
- c. Reviewed and evaluated DPS internal audit documentation voluntarily disclosed by DPS related to incidences occurring in 2002 and 2003 to understand prior DPS investigations that might have a bearing on the personnel/allegations covered by the current investigation.
- d. Reviewed and evaluated DPS' February 28, 2013, internal investigation report prepared in relation to the current allegations against Mr. Bullard.
- e. Obtained and reviewed e-mail correspondence for Mr. Bullard for at least the last three years and e-mail correspondence for Alex Sund from August 2011 to present.¹⁴ Obtained e-mail correspondence of Mike Messick and reviewed e-mails from approximately December 2011 to present. E-mail documentation was reviewed to obtain information related to the following issues:
 - 1) E-mail communications between Mr. Bullard and individuals at ISC Corporation, including but not limited to, Win Farnsworth, Troy Seyfer, and Leonard Lane;
 - 2) communications between Mr. Bullard and individuals at Avant such as Doug Childress, Keri Wakefield, and Shawn Haggerty;
 - 3) any e-mails that would suggest golf outings, houseboat usage, sporting tickets, and lunches and dinners, or other activities attended by Mr. Bullard that may have involved prospective or current DPS vendors; and
 - 4) e-mails from Mike Messick and Alex Sund pertinent to the allegations against Mr. Bullard and/or any violations of relevant policies and regulations.

¹⁴ Mr. Sund is Manager of Datacomm Services at DPS.

- f. Obtained and reviewed data from one of Mr. Bullard's cellular telephones.¹⁵ Other iOS devices collected by DPS personnel from Mr. Bullard - one iPhone 4S and two iPads - were wiped clean, allegedly by Mr. Bullard, prior to our investigation.
- g. Obtained physical images of hard drives of computers formerly in Mr. Bullard's possession. As of the date of this report, due to the large volume of data received from Mr. Bullard's e-mail and the iPhone that had recoverable data, we have conducted only a preliminary examination of the contents of these devices. In addition, it appears that two computers recovered from Mr. Bullard, an iMac and a MacBook Pro Retina, the latter of which we understand to be Bullard's primary work computer, were also wiped clean.
- h. We conducted a series of interviews:
 - 1) On March 18, 2013, interviewed Keri Wakefield, Avant Datacomm Solutions' ("Avant") CEO; Doug Childress, Avant's President and COO; and Shawn Haggerty, Avant's current Director of Operations and former President and Owner, at Avant's facilities in Golden, Colorado. We conducted a follow-up interview with the same individuals and their attorney, Justin Berg of the law firm Berg Hill Greenleaf Ruscitti, LLP, on April 17, 2013. We conducted these interviews to ascertain Avant's interactions with Mr. Bullard and to determine whether Avant provided gifts or other things of value to Mr., Bullard.
 - 2) On March 5, 2013, interviewed Craig Ramsey, DPS Internal Audit Manager, at DPS Administrative Building Room 400B, to obtain information on any audits of DoTS activities.
 - 3) On March 6, 2013, interviewed Kurt Grindeland, DPS Manager of Operations and Finance, at DPS Administrative Building Room 400B, to gain an understanding of the atmosphere in the DoTS department and the E-Rate bid process, and to obtain knowledge of participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.

15 iPhone 4 Serial Number C39F6DTXDDP9

- 4) On March 6, 2013, interviewed Brad Yohe, a Project Manager for DPS, at DPS Administrative Building Room 400B, to gain an understanding of the atmosphere in the DoTS department and the E-Rate bid process and to obtain knowledge of participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.
- 5) On March 21, 2013, interviewed Pola Swartz, a Senior Wireless Administrator for DPS, in the DoTS offices, to gain an understanding of the atmosphere in the DoTS department and the E-Rate bid process and to obtain knowledge of participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.
- 6) On March 21, 2013, interviewed Alex Sund, DPS Manager of Data Communications, in the DoTS offices, to address concerns contained in the Interoffice Memorandum dated February 28, 2013 authored by Scott Barnes as well as any additional concerns, and gain an understanding of the atmosphere in the DoTS department and the E-Rate bid process.
- 7) On March 21, 2013, interviewed Robert Knight, an AV/PC Hardware Technician for DPS, in the DoTS offices, to gain an understanding of the atmosphere in the DoTS department and the E-Rate bid process and to obtain knowledge of participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.
- 8) On March 21, 2013, interviewed Erran Willoughby, a Network Technician for DPS, in the DoTS offices, to gain an understanding of the atmosphere in the DoTS department, the E-Rate bid process, Vern Bullard's role during Erran Willoughby's time at Avant, and to obtain knowledge of participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.
- 9) On March 21, 2013, interviewed Tim Bostwick, a Network Technician for DPS, in the DoTS offices, to gain an understanding of the atmosphere in the DoTS department and the E-Rate bid process and to obtain knowledge of participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.
- 10) On March 21, 2013, interviewed David Howard, DPS Datacom Team Lead, in the DoTS offices. A follow-up interview with David Howard was conducted on

March 22, 2013, as requested by the individual. We conducted these interviews to gain an understanding of the atmosphere in the DoTS department, the E-Rate bid process, and the VoIP and LAN project cost database.

- 11) On March 22, 2013, interviewed Robert Losinski, an Information Security Administrator for DPS, in the DoTS offices, to gain an understanding of the atmosphere in the DoTS department and the E-Rate bid process and to obtain knowledge of participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.
- 12) On March 22, 2013, interviewed Wendy Scheidegger, DPS Director of Purchasing, at DPS Administrative Building Room 400B, to gain an understanding of the E-Rate bid process and the Purchasing Department's involvement in that process.
- 13) On March 22, 2013, interviewed Lorraine Olson, a Data Communications Technician for DPS, in the DoTS offices, to gain an understanding of the atmosphere in the DoTS department and the E-Rate bid process and to obtain knowledge of participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.
- 14) On March 22, 2013, interviewed Rob Gerster, a Project Manager for Linx, LLLP ("Linx") and formerly a Project Manager at Avant, and Ken Beckey, a Security Division Manager for Linx, at Linx's offices in Denver, Colorado, to obtain information about Rob Gerster's interactions with Vern Bullard while Mr. Gerster was at Avant and to ascertain Linx's interactions with Mr. Bullard and DPS.
- 15) On March 25, 2013, interviewed Eric Muller, a Strategic Account Manager for Panduit Corporation ("Panduit"), at 816 Acoma Street in Denver, Colorado. Also present was attorney Joel Bertocchi from Hinshaw & Culbertson, LLP and, by telephone, Zachary Zmolinski, assistant general counsel for Panduit. We conducted this interview to ascertain Panduit's interactions with DPS and Mr. Bullard and to obtain knowledge of any participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.

- 16) On March 25, 2013, interviewed Jeramie Green, a Territory Account Manager for Panduit, at 816 Acoma Street in Denver, Colorado. Also present by teleconference were Joel Bertocchi from Hinshaw & Culbertson, LLP and Zachary Zmolinski, assistant general counsel for Panduit. We conducted this interview to ascertain Panduit's interactions with DPS and Bullard and to obtain knowledge of any participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.
- 17) On March 25, 2013, interviewed Erika Anderson, a Territory Sales Manager for Panduit, at 816 Acoma Street in Denver, Colorado. Also present by teleconference were Joel Bertocchi from Hinshaw & Culbertson, LLP and Zachary Zmolinski, assistant general counsel for Panduit. We conducted this interview to ascertain Panduit's interactions with DPS and Bullard and to obtain knowledge of any participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.
- 18) On April 5, 2013, interviewed Win Farnsworth, ISC Corporation's ("ISC") CEO, at ISC's offices in Englewood, Colorado. Follow-up interviews with Mr. Farnsworth were conducted at ISC's offices in Englewood, Colorado on April 10, 2013 and April 30, 2013. We conducted these interviews to ascertain ISC's interactions with Mr. Bullard, obtain information about Troy Seyfer's work at ISC and his involvement with DPS, and acquire details of any gifts provided by ISC.
- 19) On April 5, 2013, interviewed Leonard Lane, ISC's CIO, at ISC's offices in Englewood, Colorado, to gather information on the sale of Leonard Lane's Ford Raptor to Mr. Bullard and any gifts provided by ISC.
- 20) On April 8, 2013, interviewed Kristin Scott, and SIA Channel Manager for CenturyLink, Inc. formally Qwest Corporation ("Qwest"), at Bryan Cave HRO's offices in Denver, Colorado. Also present was attorney Cliff Stricklin from Bryan Cave HRO. We conducted this interview to ascertain Qwest's interactions with Mr. Bullard, obtain information about Troy Seyfer's work at Qwest and his involvement with DPS, acquire details of any gifts provided by Qwest, and to obtain knowledge of any participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.

- 21) On April 10, 2013, interviewed Troy Seyfer, a Senior Account Manager for ISC, at ISC's offices in Englewood, Colorado, to obtain information on his employment history, interactions with Mr. Bullard, involvement with the DPS bid process, and to obtain knowledge of any participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations.
- 22) On April 11, 2013, interviewed Lisa Halbleib, Qwest's Area Vice President - Sales Engineering, at Bryan Cave HRO's offices in Denver, Colorado. Also present was attorney Cliff Stricklin from Bryan Cave HRO. We conducted this interview to ascertain Qwest's interactions with Mr. Bullard, obtain information about Troy Seyfer's work at Qwest and his involvement with DPS, acquire details of any gifts provided by Qwest and to obtain knowledge of any participation by Mr. Bullard in activities that did not conform to E-Rate or DPS regulations
- 23) On April 11, 2013, interviewed Karen Farley, an Account Representative for Dell Marketing, LP ("Dell"), by phone. Also present via telephone was attorney David Fine from McKenna Long & Aldridge, LLP. We conducted this interview to ascertain Dell's interactions with Mr. Bullard.
- i. We conducted a series of interviews related to the scoring process. These interviews were conducted by Kelly Jin of Alvarez & Marsal. In addition to the interviews cited below, we reviewed relevant DPS policies and procedures related to the procurement process. In addition, we reviewed relevant E-Rate documentation in order to understand specific requirements related to E-Rate procurements. A summary of the interviews is as follows:
- 1) On May 21, 2013, interviewed Wendy Scheidegger, DPS Director of Purchasing, by phone, to obtain information about the bid scoring process, the environment surrounding the evaluation of responses to E-rate RFPs, and the Purchasing Department's role in the scoring process.
- 2) On May 21, 2013, interviewed John Welter, DPS Manager of Database and Systems Administration, by phone, to obtain information about the bid scoring process and the environment surrounding the evaluation of responses to E-rate RFPs.

- 3) On May 21, 2013, interviewed Greg Birkett, Operations Lead for DPS, by phone, to obtain information about the bid scoring process and the environment surrounding the evaluation of responses to E-rate RFPs.
- 4) On May 21, 2013, interviewed Robert Losinski, an Information Security Administrator for DPS, by phone, to obtain information about the bid scoring process and the environment surrounding the evaluation of responses to E-rate RFPs.
- 5) On May 21, 2013, interviewed Mark Lyons, a Senior Network Administrator for DPS, by phone, to obtain information about the bid scoring process and the environment surrounding the evaluation of responses to E-rate RFPs.
- 6) On May 21, 2013, interviewed Jerry Mozes, a Senior Systems Administrator for DPS, by phone, to obtain information about the bid scoring process and the environment surrounding the evaluation of responses to E-rate RFPs.
- 7) On May 21, 2013, interviewed Pola Swartz, a Senior Wireless Administrator for DPS, by phone, to obtain information about the bid scoring process and the environment surrounding the evaluation of responses to E-rate RFPs.
- 8) On May 21, 2013, interviewed Jerry Clark, a Senior Network Engineer for DPS, by phone, to obtain information about the bid scoring process and the environment surrounding the evaluation of responses to E-rate RFPs.
- 9) On May 22, 2013, interviewed David Howard, DPS Datacom Team Lead, by phone, to obtain information about the bid scoring process and the environment surrounding the evaluation of responses to E-rate RFPs.
- 10) On May 22, 2013, interviewed Steve Feierabend, a Datacom Tech 3 for DPS, by phone, to obtain information about the bid scoring process and the environment surrounding the evaluation of responses to E-rate RFPs.
- 11) On May 23, 2013, interviewed Jason Rand, DPS Client Services Manager, by phone, to obtain information about the bid scoring process and the environment surrounding the evaluation of responses to E-rate RFPs.

12) On May 23, 2013, interviewed Kipp Bentley, DPS Executive Director of Interdisciplinary Learning, by phone, to obtain information about the bid scoring process and the environment surrounding the evaluation of responses to E-rate RFPs.

VI. FINDINGS

39. Our investigation resulted in findings of potential or actual noncompliance with DPS and E-Rate regulations on the part of Mr. Bullard and certain DPS vendors.

A. Avant Findings

40. We investigated the following allegations related to Avant. It should be noted that many of these allegations and alleged conduct occurred nearly a decade ago and prior to Avant being under new ownership and management, which occurred in February 2011.

1. Possible Receipt of Indirect Gifts - Vacation

41. There is credible circumstantial evidence that Avant may have at least indirectly paid for a vacation that included Mr. Bullard. Based on an interview with Rob Gerster, a former employee of Avant, who is now an employee at LINX, Vern Bullard, the father of Mr. Bullard and a former DPS employee, was let go by DPS because of a conflict of interest. Avant then hired Vern Bullard. According to Mr. Gerster, Shawn Haggerty of Avant told him (Rob) that he hired Vern to get "Phase II" work at DPS.

42. Based on our interviews, in approximately mid-year 2003, Avant hired Mr. Bullard's father, Vern Bullard, who had left Denver Public Schools a few months prior.¹⁶ According to Doug Childress and Shawn Haggerty, Avant only issued one round of bonuses in 2003, a "banner year" for their business. Vern Bullard received an \$8,500 bonus in 2003, after he had worked six months at Avant, which they mentioned was a low bonus for a manager. However, our review of the bonuses paid disclosed that Vern Bullard received the third-highest bonus. Kristin Allen, the Chief Financial Officer at the time, received a bonus of approximately \$26,000 and Dan Amoroso, an office manager

¹⁶ Vern Bullard began employment at DPS on April 2, 2001. He left DPS on February 28, 2003. DPS rehired him on August 25, 2008. Shortly thereafter, on October 31, 2008, he left DPS for the second time.

at the same level as Vern Bullard, but who had worked the entire year, received a bonus of approximately \$12,000.

43. Mr. Gerster stated that Avant paid these bonuses to employees based on the school wiring project that Avant performed for DPS. He indicated that, for "Phase I" of the project, there was a bonus pool for each school/site and the field team divided the bonus among themselves. As project manager, Mr. Gerster's bonus was based on how profitable the project was, and his bonus came at the end of Phase I. He stated that he knows that the field technicians did not get bonuses for Phase II, but that he does not know if management (i.e., Messrs. Vern Bullard, Shawn Haggerty, and Ted Droz) got bonuses.
44. Mr. Gerster does know that Ted Droz, former co-owner of Avant, Shawn Haggerty, and Vern Bullard went on a trip together because he took over the scheduling when they were gone. Mr. Gerster assumed that Bud Bullard had joined them as well. He did not know who paid for the trip.
45. In addition, Mr. Gerstner heard from Shawn Haggerty, then President and a co-owner of Avant, that Avant paid Vern Bullard a bonus to pay for Bud Bullard's trip, possibly, "to the Bahamas or Atlantis or something like that." Vern Bullard had reportedly gone to Mr. Haggerty saying, "Bud sure would like to go on this trip." Mr. Gerster recalls Mr. Haggerty saying that everything was "first class." Mr. Haggerty allegedly kept the paperwork on this trip "just in case." Mr. Gerster does not know what, if any, benefit Avant received from this trip.
46. On Friday, April 5, 2013, we requested an interview of Mr. Bullard through his counsel. On Thursday, April 11, 2013, Mr. Bullard's counsel left A&M a voice message declining our request.
47. On April 17, 2013, during a follow up interview with Keri Wakefield, Doug Childress, and Shawn Haggerty in the presence of Avant's attorney, Justin Berg, Mr. Haggerty denied these allegations made by Mr. Gerster and said that neither Bud nor Vern Bullard had been on a trip with him. Shawn Haggerty also denied retaining any paperwork to document a trip with Bud or Vern Bullard. He offered to provide his passport which we

have received. **Attachment 6** contains selected pages from Mr. Haggerty's passport (counsel for Avant has requested that the passport information be kept confidential).

48. As indicated on page 8 of his passport, Mr. Haggerty was in the Bahamas on and around February 9, 2004, the date he gained entry into the Bahamas.
49. To the extent that the bonus paid to Vern Bullard was designed to pay for Mr. Bullard's participation in the vacation trip, it would constitute a gift, and a violation of DPS Policy and Procedure GBEB - Gifts to and Solicitations by Staff. In addition, DPS Policy and Procedure BGEA-E - Staff Ethics/Conflict of Interest may have been violated. Specifically paragraph 2, which provides that a DPS employee:

Should not, within six months following the termination of his ...employment, obtain employment in which he will take direct advantage, unavailable to others, of matters with which he was directly involved during his term of employment. These matters include rules, other than rules of general application, which he actively helped to formulate, and applications, claims or contested cases in the consideration of which he was an active participant.

2. **Receipt of Gifts - Golf Outing**

50. Mr. Bullard attended a client-appreciation golf outing hosted by Avant in or about May 2012. The company described the event as its First Annual Customer & Partner Golf Tournament. Upon request, Avant provided documentation related to this golf outing. According to the documentation, the fair market value of the golf package was \$130 per person (**Attachment 7**). Avant claims that it had additional sponsors which defrayed its cost to \$49 dollars per person. Avant does not claim that Bud Bullard reimbursed the company for the round of golf.
51. Acceptance by Mr. Bullard of a gift in either amount, \$130 or \$49, constitutes a violation the E-Rate program's gift restriction of \$20 per event and exceeds or nearly exceeds the \$50 in aggregate allowable value per funding year set forth in §54.503(d)(1).

3. Avant's Hiring of Vern Bullard

52. The fact that Avant, then run by Shawn Haggerty, hired Mr. Bullard's father, Vern Bullard, coupled with the allegations in this matter made by Mr. Gerster, raises concern that Avant may have had an unfair advantage when seeking contracts from DPS.
53. Paragraph (a) of §54.503 of the E-Rate regulations states that, "all entities participating in the schools and libraries universal service support program must conduct a fair and open competitive bidding process, consistent with all requirements set forth in this subpart." A note to this paragraph provides a list of activities or behaviors that would not result in a fair and open competitive bidding process, and includes a case in which, "The applicant for supported services has a relationship with a service provider that would unfairly influence the outcome of a competition or would furnish the services provider with inside information."¹⁷
54. Our review disclosed an email that Bud Bullard apparently sent to himself on July 14, 2011, to memorialize his position on Vern Bullard's former employment with Avant¹⁸ and DPS. In the email, he stated that he was, "Not too concerned about the questioning of process...However, I am very concerned with the perception regarding this inquiry." The inquiry that Bullard refers to apparently involved conflict of interest concerns raised to DPS by the "construction team" on the Avant cabling contract. See **Attachment 8**.
55. The fact that Vern Bullard was a former employee of DPS, that he worked for Avant on the same projects on which he formerly worked for DPS, and the fact that he was the father of Bud Bullard, a key contracts decision-maker at DPS, potentially gave Avant access to inside information into DPS internal processes and may have created a less-than fair and open competitive bidding process in violations of paragraph (a) of §54.503.

¹⁷ §54.503(a). Emphasis added.

¹⁸ Vern Bullard left his position at Avant on January 16, 2007.

B. ISC Findings

1. Possible Receipt of Gifts - Golf Outing

56. Based on our review of Mr. Bullard's e-mails and text messages, we identified several occasions on which Mr. Bullard participated in rounds of golf with Troy Seyfer¹⁹ and Leonard Lane²⁰ of ISC. The golf games were held both locally and at least once in Las Vegas (**Attachment 9**). One e-mail correspondence regarding the Las Vegas golf game mentioned the cost for a round, so it is possible that Mr. Bullard could have paid his own greens fees. Given the limited information available, we could not determine whether other items may have been purchased at the Las Vegas golf outing for Mr. Bullard. Mr. Bullard was the only public employee included in the e-mail chain.
57. In addition to the ISC personnel invited to the Las Vegas golf outing that was apparently held on April 29, 2010, several employees of Cisco Systems, a supplier to many DPS vendors, including ISC, were also present. These included Todd Truitt, Jason Pendleton, Kimbray Von Grosse, Blake Bursey, and Joe Sagrati. Other invitees included Dan Owens of EMC Corporation, Greg Pickerel of Noble Energy, and Sam Morton of Sprint. Noble Energy is not a vendor to the DoTS department at DPS. Sprint did compete for at least one DoTS contract, but was unsuccessful.
58. Mr. Bullard received an invitation to an ISC customer appreciation golf tournament held on July 26, 2011 (**Attachment 10**). This tournament was sponsored by ISC, Cisco, EMC, and VMware.
59. It is unclear whether Mr. Bullard paid for his participation in these and other golf games with vendors, but it is clear that he engaged in a relationship with E-Rate service providers at ISC that could unfairly influence the outcome of the competitive bidding process, in violation of E-Rate regulations. FCC regulations indicate that this relationship

19 Troy Seyfer is currently a Senior Account Manager at ISC. Mr. Seyfer returned to ISC in November 2012 after being at another company for approximately a year. Prior to that he was at ISC. Previous employers have included Cisco and Qwest. It should be noted that Mr. Seyfer is Mr. Bullard's second cousin - their grandmothers were sisters.

20 Leonard Lane is the Chief Information Officer for ISC and manages the network operation center which is a 24/7 facility that provides emergency support. DPS does not use this service as they have their own on-site support people. Mr. Lane has been with ISC for 12 years.

would be inappropriate if it furnished the relevant service provider with inside information. *See* 47 CFR § 54.503(a). While the acceptance of paid-for golf outings would violate both DPS and E-Rate rules, there is also circumstantial evidence suggesting that Mr. Bullard's relationship with ISC principals was itself improper. However, it is unclear to us whether this type of behavior, by itself, negatively influenced the competitive bidding process.

60. Amounts not paid by Mr. Bullard will likely constitute a violation of the E-Rate program's gift restrictions of \$20 per-event and/or the \$50 in aggregate per funding year set forth in §54.503(d)(1). This may also constitute a violation of DPS Policies and Procedures, specifically, DPS Policy GBEBBC - Gifts to and Solicitations by Staff.

2. Possible Receipt of Gifts - Meals

61. We found multiple instances in which Mr. Bullard participated in meals with personnel at ISC. Examples of the locations of some of these meals are: the Governor's Park Tavern (**Attachment 11**), the Tilted Kilt (**Attachment 12**), the Yard House (**Attachment 13**), Benny's (**Attachment 14**), Del Frisco's or Elway's Steakhouse (**Attachments 15, 16, 17**) and the Capital Grille (**Attachment 18**).²¹
62. It also appears that some of the meals included Win Farnsworth's wife as well as Mr. Bullard's wife. Other evidence discussed later in this section suggests significant socializing among Messrs. Bullard and Farnsworth and their spouses.
63. In addition to the meals documented in the e-mails, we identified numerous instances where Mr. Bullard engaged in text message exchanges with Win Farnsworth and/or Troy Seyfer related to dining.²² Examples of these text messages are presented at **Attachment 19**. While the first text message indicates that Messrs. Bullard and Farnsworth did not meet for dinner, it does suggest that Mr. Bullard was expecting Mr. Farnsworth to pick up the cost, when Bullard texted, "Ok. I guess I will order off the dollar menu then..." in

21 The meal at the Capital Grille was paid for by Carol Goble of Cisco Systems. It also appears that it also included Win Farnsworth's wife, Melissa, and Bud Bullard's wife, Kristi. Cisco, while not an E-Rate vendor, is a major supplier to ISC and to DPS.

22 From the one cell phone used by Mr. Bullard that contained recoverable data.

response to Farnsworth saying that he could not make it. The next group of text messages shows Bullard and Farnsworth arranging a lunch at the Sushi Den at 11:30 am on September 14, 2011.

64. With respect to meals, we find that there is strong circumstantial evidence that Mr. Bullard received gifts or things of value from ISC or, in one case, Cisco, and engaged in a relationship with an E-Rate service provider that could be perceived as unfairly influencing the outcome of the competitive bidding process.
65. The amounts received by Mr. Bullard likely constitute a violation of the E-Rate program's gift restrictions of \$20 per-event and/or the \$50 in aggregate per funding year set forth in §54.503(d)(1). In addition, DPS Policy GBEBEC - Gifts to and Solicitations by Staff was also likely violated. We sought to interview Mr. Bullard regarding these issues, but, as noted previously, he has declined to be interviewed.

3. Receipt of Gifts - Ford Raptor Truck at Below-Market Value

66. We interviewed Leonard Lane and Win Farnsworth of ISC relating to allegations that Mr. Bullard purchased a Ford Raptor Truck from Mr. Lane at less than fair market value. Any amount paid below the fair market value would be recognized as a gift. In addition, there were allegations that Mr. Farnsworth purchased running boards for the truck for Mr. Bullard's benefit.²³ Mr. Lane stated that he frequently gets new cars and was planning to replace his Ford Raptor. Mr. Bullard expressed an interest in buying the truck, and Mr. Lane stated that Mr. Bullard was a "tough negotiator."
67. In an e-mail dated February 19, 2011, Win Farnsworth responded to Bullard's e-mail asking if "...Leo [Leonard Lane] is serious about selling the Raptor?" Farnsworth responded by stating "Don't buy anything! He will give you a hell of a deal..." (**Attachment 20**).

23 Alex Sund reported that he had a lunch with Bud Bullard and the "owner of ISC" where the owner said "how's my truck? Do you like the running boards I bought you?" and "How was your B-day."

68. **Attachment 21** presents the text messages that were extracted from Bud Bullard's phone that discuss the purchase of the truck. Ultimately, we received correspondence from Leonard Lane that stated that the truck was purchased by Mr. Bullard for \$28,000.
69. A&M's determined that the earliest registration date for this truck by Bullard was June 9, 2011. **Attachment 22** presents the Kelly Blue Book value for the Ford Raptor. We estimated the mileage at the time of the purchase by Bullard at 15,000. We did not know what features that it may have had so we kept the standard features provided by Kelly Blue Book. Based on this information, the Private Party Value of the Truck ranges from \$36,356 to \$41,656. There are a variety of packages and options for this truck (at least for the 2013 model, according to Ford Motor's website) and we lack sufficient information to accurately specify those features in Kelly Blue Book. Therefore, we cannot determine conclusively whether an implicit gift may have been transmitted to Bullard as a result of this transaction.
70. A picture, presumably of the truck in question, that was sent as an MMS text message from Bullard's cell phone to Leonard Lane's cell phone on March 12, 2011 is presented on **Attachment 23**.
71. We have repeatedly requested the bill of sale for the truck from Mr. Lane, but as of the date of this report he has not provided it to us.
72. Regarding the purchase of running boards for this vehicle, Win Farnsworth denied the accusation in our interview of him. Leonard Lane stated that the running boards were already pre-installed on the truck. The picture of the truck clearly shows running boards, but we have no basis to determine when they were installed. Ford Motor Company's marketing literature suggests that the running boards are standard equipment.
73. In our interview with Leonard Lane on April 5, 2013, Mr. Lane stated that he began with a \$35,000 asking price to Mr. Bullard for the truck. Mr. Bullard said the truck had been in the shop for 3 of the 18 months that Lane had owned it, and offered Lane \$28,000. Lane stated that he initially passed on this offer, but that he only received offers in the \$26,000 range so he sold the truck to Mr. Bullard for \$28,000. While this amount does not conform with the content of the combined cell phone text messages, it does reflect a 20 percent reduction in the price from the opening asking price.

74. While we cannot determine conclusively that Mr. Bullard's position at DPS resulted in Mr. Lane's willingness to reduce his asking price for the truck, the possibility of the appearance, if not an outright violation, of a conflict of interest and/or the acceptance of gifts for this type of transaction is significant. The E-Rate regulations provide, in part, that, "Receipt or solicitation of gifts by applicants from service providers (and vice versa) and potential service providers is a competitive bidding violation."²⁴ Any price reduction for the truck solicited by Mr. Bullard and provided by Mr. Lane could clearly be considered analogous to the solicitation and receipt of a gift. This would also be in violation of DPS Policy GBEBEC - Gifts to and Solicitations by Staff.

4. Trip to Wyoming/Nebraska Football Game on September 24, 2011

75. During our review of Mr. Bullard's e-mails we located an itinerary and invoice from an air charter company that was attached to an e-mail sent from Win Farnsworth on September 22, 2011. The invoice indicates that ISC chartered an aircraft that departed on September 24, 2011 for the Wyoming v. Nebraska college football game. A copy of the charter document and invoice is presented at **Attachment 24**. Page 3 of **Attachment 24** provides the passenger list. We have highlighted the names of Bud and Kristi Bullard on the flight. Also on the flight was an individual named Sean McGraw who has a Douglas County Colorado School District e-mail address (**Attachment 24**, page 1). A Google search revealed that he was the former Executive Director of the Douglas County Education Foundation. As of at least August 2012, Sean McGraw was ISC's Director of Marketing and Business Development.²⁵

76. We also found text messages between Bullard and Farnsworth related to this game on Bullard's cell phone. A summary of these text messages is presented at **Attachment 25**.

77. We were able to confirm that Wyoming played Nebraska on that day in Laramie, Wyoming. Passengers identified on the charter service's manifest were: Win Farnsworth, Melissa Farnsworth, Bud Bullard, Kristi Bullard, Chris Kissinger, Pat

²⁴ USAC, E-Rate Program Compliance, p. 40.

²⁵ Per e-mail from Mike Messick to Alex Sund dated August 6, 2012, re: ISC Golf Tournament Information.

Larson, Justin Lenhart, Sean McGraw, and John Worthing. The invoiced amount for this trip was approximately \$3,500.

78. In addition to the evidence of Mr. Bullard's receipt of the flight and attendance at the game provided by the charter invoice, we located a number of photographs related to the game on Mr. Bullard's iPhone. **Attachment 26** was taken from his cell phone, clearly during the game. **Attachment 27** was also taken from his cell phone.
79. When asked about these events, Mr. Farnsworth stated that he did not recall being on the plane himself (even though he is listed on the manifest), but recognized that Bullard was listed on the flight manifest and was clearly at the game. We requested that he provide us with documentation demonstrating that Bullard reimbursed ISC for the cost of this trip. As of the date of this report, we have not seen such information.
80. Because Mr. Bullard declined our request for an interview, we could not question him regarding these events. However, we have seen no evidence to suggest that Mr. Bullard paid ISC for the cost of this trip.
81. Importantly, Mr. Farnsworth did not disclose this trip with Mr. Bullard in our first two interviews, despite numerous questions about gifts or other items ISC may have given to Bullard. He minimized the extent of his personal relationship with Bullard in a manner that is contradicted by the evidence presented in Mr. Bullard's e-mail and text messages. Mr. Farnsworth only acknowledged the existence of the football trip when A&M presented him with documents evidencing the trip.
82. Even if Mr. Bullard reimbursed ISC and Mr. Farnsworth for the cost of these items (and we have seen no evidence that he did), this trip appears to be a clear violation of the conflicts of interest prohibitions in the DPS regulations, and has the appearance of granting a vendor special access. In addition, acceptance of the trip, if unreimbursed, is a clear violation of the gift rules under both E-Rate and DPS regulations. The value of the trip grossly exceeds the E-Rate program's gift restrictions of \$20 per-event and \$50 in aggregate per funding year set forth in §54.503(d) (1). It also clearly exceeds the "nominal" gift amount allowed by DPS Policy DJG - Vendor Relations and GBEB - Gifts to and Solicitations by Staff.

5. Text messages and E-mails

83. A review of Mr. Bullard's text messages disclosed numerous occasions on which Mr. Bullard solicited tickets to sporting events from Mr. Farnsworth, and other conversations that are indicative of a personal relationship between Bullard and Farnsworth (**Attachment 28**). **Attachment 29** provides evidence that Bullard received 10 suite passes to a Denver Nuggets basketball game on March 3, 2010, about 45 days after two DPS contracts, BD 1379 and BD 1385, were awarded to ISC.
84. In another instance disclosed in our review, Mr. Farnsworth invited Gordon Knopp, the Director of Technology for the Laramie County Colorado School District, to a Denver Nuggets/Los Angeles Lakers Game in November of 2010. Mr. Knopp declined the invitation, stating that he, "... cannot accept anything over \$12.50 in value." He further stated, "Bud you enjoy the show you lucky dog." Bullard, copied on the initial email from Farnsworth to Knopp, appeared to cover for Farnsworth in a response to Knopp, stating that the tickets were not being provided by Farnsworth, but were Bullard's tickets. He wrote to Knopp, "The tix was from me not Win. He just wants us to come visit him while we are there! :-)" The initial e-mail clearly states that Farnsworth, not Bullard, had extended the invitation to Knopp. See **Attachment 30**.
85. In July 2010, Farnsworth invited Bullard to the "Bob Dylan Days Data Center UCS Event." This event included tickets to a Bob Dylan/John Mellencamp concert on August 12, 2010. Also included was a drawing for a BBQ grill. See **Attachment 31**.
86. In July 2010, Farnsworth invited Scott Hatfield, David Howard, and Bullard to a "ball game" in August when they were on a break from installs. See **Attachment 32**.
87. In October 2010, ISC invited DPS Technicians to its suite at the Pepsi Center - either for a Denver Nuggets or Colorado Avalanche game. We cannot determine whether DPS personnel attended the game at ISC's expense but ISC clearly offered the tickets to them. See **Attachment 33**.
88. In April 2011, Farnsworth invited Bullard (and apparently no one else at DPS) to an ISC Data Center Event that included an invitation to Speed Raceway go-cart racing. See **Attachment 34**.

89. We also reviewed a Bullard text message related to the planning of a trip to Lake Powell with Mr. Farnsworth. We found photographic evidence of this trip on Mr. Bullard's cell phone, with Messrs. Bullard and Farnsworth photographed as the passenger and driver in a racing-style boat. This photograph was dated October 8, 2011. When presented with this information, Mr. Farnsworth admitted that he was present and that the boat was his. See **Attachment 35**.
90. In another instance, Mr. Bullard sought advice from Farnsworth about a proposal from EMC, a company for which ISC was a reseller, citing information in EMC's proposal. He wrote to Farnsworth, "Please don't discuss this or share with the EMC team. They didn't put confidential on this, but I'm sure they don't want me sharing yet..." Farnsworth's response indicates his mixed allegiances given the nature of Bullard's question. This e-mail exchange appears to be providing Farnsworth with insight into DoTS' intent to consider acquisition of a particular technology, and, while ISC was not a bidder for this contract, Bullard's disclosure is counterproductive to providing a fair bidding environment at DPS. The disclosure may also violate DPS regulations related to the confidentiality of proposal information. See **Attachment 36**.
91. Collectively, the cited events and communications between Bullard and ISC personnel appear to constitute violations of both the E-Rate program's gift restrictions and DPS Policies DJG - Vendor Relations and GBEBC - Gifts to and Solicitations by Staff. They also appear to violate the FCC's policies on a fair and open bidding process (47 C.F.R. §54.503(a), effective October 13, 2011).

C. Elert & Associates Technology Consultants

92. DPS received an allegation that Mr. Bullard held an ownership interest in Elert & Associates Technology Consultants, a vendor providing services to the Safety and Security Department of DPS.
93. A&M performed a background search for Elert & Associates and Bud Bullard to identify any ownership interest he may have had in the company. Elert & Associates is headquartered in Minneapolis with locations in Illinois, Texas, and Florida. We also reviewed the membership of the board of directors for the company and did not identify any individuals relevant to the instant investigation.

94. Our investigation did not reveal any evidence that Mr. Bullard has an ownership interest in this company.

D. Alerio Technology Group

95. Alex Sund of DPS stated in an interview with Scott Barnes that he had heard that Bud Bullard had an ownership interest in an entity called Alerio & Associates. According to Sund, this was a security consulting firm that was looking at access control systems for DPS.
96. We searched public and proprietary databases for records related to Alerio & Associates and located one entity with a similar name in Denver: Alerio Technology Group. Until July 2012, the entity was known as Echelon Partners, LLC - a name that it had held since August 2006. Prior to August 2006, the entity was known as Facilities Services, LLC.
97. In December 2012, Alerio bought TelWest Technologies, LLC of Denver and InSolutions, LLC of Centennial. Alerio appears to be owned by Mark Mulveney. Mr. Mulveney is CFO of Alerio Technology Group and Eagle Mountain Partners and the former CFO of Red Hawk - A UTC Fire & Security Company. However, we were unable to link Bullard to any of these companies.

E. Panduit Findings

98. We interviewed three individuals from Panduit: Eric Muller, Strategic Account Manager, Erika Anderson, Territory Sales Manager, and Jeramie Green, Territory Account Manager.
99. The purpose of these interviews was to understand the interaction between Mr. Bullard and Panduit. From these interviews we discovered that Mr. Bullard met with Panduit representatives including Eric Muller in early December. This meeting was called by Mr. Bullard to classify DPS as a "strategic account" for Panduit. According to Eric Muller, DPS did not meet Panduit's criteria for such a classification.

100. Based on our interview with Avant, it was revealed that DPS' standards for noise level on its wiring were strict and, allegedly, above industry standards.²⁶ When questioned about this, Panduit stated that the standards were higher, but that it was also due to the fact that in the older schools that the cabling runs were challenging and there was greater opportunity to stress the cables during installation. This purportedly necessitated the need for the higher standard.
101. Panduit paid for Mr. Bullard and Alex Sund to fly out to its demonstration facility located in Tinley Park in the Chicago metropolitan area on February 4-5, 2013. Panduit paid for the travel expenses. When we inquired as to whether DPS or Mr. Bullard reimbursed Panduit for the cost of this, Eric Muller stated that Mr. Bullard called him to request the invoices for the trip. This call, according to Mr. Muller, occurred after Mr. Bullard had been suspended by DPS.
102. Panduit had outside counsel attend our interviews and in-house counsel listened to the entirety of the interviews by phone. They offered to cooperate with the investigation.
103. Based on our review of the documents to date and the interviews conducted, it appears that the provision of the trip to Panduit's facility for Messrs. Sund and Bullard, to the extent the trip provided a benefit to Panduit's DPS reseller, Graybar, is a violation of E-Rate regulations.²⁷ The regulations provide that, "Travel expenses such as airfare, meals, lodging, etc." that exceed the "\$20/\$50 thresholds" are unallowable."²⁸ Panduit personnel stated that they informed Bullard in the December 17, 2012 meeting when they offered to have him and Alex Sund come to Chicago that he and they would need to be in compliance with DPS and E-Rate Policies and Procedures. Mr. Bullard's suspension occurred shortly after this trip.

26 USAC, E-Rate Program Compliance, p. 40.

27 Panduit (which is not an E-Rate service provider) provided the trip. The E-Rate rules pertain to "a service provider participating in or seeking to participate in the schools and libraries universal service program." See 47 CFR § 54.503(d). Payment for the trip would violate E-Rate rules to the extent that Panduit paid on behalf of the service provider (Graybar).

28 USAC, E-Rate Program Compliance, p. 56. The presentation provides an example that states, "A service provider offers to pick up the travel and lodging costs for an applicant to attend a customer appreciation event in another state. This gift is not allowable under the gift rules."

104. Graybar is a Panduit distributor and the regional supplier of Panduit product in the Denver area. It receives preferential pricing from Panduit for product sold to DPS. An analysis of this pricing is beyond the scope of our investigation; however, we understand that DPS recently requested that Panduit provide the same preferential pricing to other Panduit distributors for sales to DPS, and that Panduit has granted this request. Therefore, we did not investigate Graybar further.

105. Mr. Bullard has declined to be interviewed by us. On June 11, 2013, DPS reimbursed Panduit for the flight and hotel expenses related to the Chicago trip. Panduit provided a dinner and a lunch to Alex Sund and Bud Bullard through the Panduit cafeteria during the Chicago trip. However, no receipts are available to document these costs for reimbursement by DPS. A copy of the invoices and the documentation supporting DPS' payment of \$887.84 for flight and hotel expenses is presented at **Attachment 37**.

F. Dell Computer Findings

106. Dell was initially not a subject of our inquiry. However, during our investigation, we learned that an account representative for Dell, Karen Farley, had reported "difficulties" with the DPS account.

107. We conducted a phone interview with Ms. Farley during which she was clearly nervous and not initially forthcoming. Eventually she revealed that she had a lunch with Bullard sometime in the summer of 2012. When the bill was presented and she told Bullard that they would each have to pay their own way, he was taken aback. He said that his other vendors did not require that. She said, following this lunch meeting, she was unable to get much traction or arrange meetings with him.²⁹ Ultimately, she recused herself from the account. **Attachment 38** is an e-mail forwarded to Sharyn Guhman of DPS by the Jefferson County Schools CIO that incorporates an e-mail from Ms. Farley. It does not, however, provide any specific allegations.

²⁹ We did find an e-mail from Karen Farley to Bud Bullard dated March 15, 2011, inviting him for "Sushi Friday."

108. While we were unable to document any specific violations in our interview with Ms. Farley, her report to us is an indicator of Bullard's expectation of free meals from vendors.

G. Findings with respect to the E-Rate Bidding Process

1. Analysis

109. We reviewed the E-Rate contracts awarded by DPS during the fiscal years ended June 30, 2010, 2011, and 2012 and through the first half of fiscal 2013. Our review consisted of examination of the contract binders and FCC Forms 471 provided to us by DPS, as well as interviews with DPS personnel. From this information, we created a database of the E-Rate contracts that DPS awarded during the relevant period.

2. Findings

110. These databases are too large to provide a readable document to be attached to this report. However, based on this analysis we have the following observations:

- a. While it appears that DPS provided proper scoring weights, E-Rate regulations require that price be the primary consideration in the evaluation of bids. We noted one instance involving an E-Rate contract where price was equally weighted with at least one other evaluation factor. On contract BD 1396, the Pricing and the Design & Solution factors were equally weighted at 30%.
- b. Our review disclosed that DPS published RFPs for the requisite 28 days for the various E-Rate contracts for which it was seeking bid solicitations.
- c. There were instances, however, where scoring information was not located in the binders provided to us. This missing information is summarized in the table below:

Bid #	Bid Description	Awardee	Fiscal Year	A&M Comments
BD1183	Internet service provider	Qwest Communications	July 1, 2006 - June 30, 2007	No score sheets due to Qwest being the only bid respondent.
BD1185	Network and communication services	Qwest Communications	July 1, 2006 - June 30, 2007	Missing score sheets.
BD1327	Structured cabling and installation for modular buildings for nine elementary schools	Avant Datacomm Solutions, National Network Services, Inc., Telesupport Services, Inc.	July 1, 2008 - June 30, 2009	Total funding includes costs associated with DoTS of \$27,720.
BD1361	Self service password software		July 1, 2009 - June 30, 2010	This bid was cancelled and not awarded. Missing executive summary and some score sheets.
BD1385	Local area network hardware - components required to connect all voice, data, and security devices within the District	ISC, Inc	July 1, 2009 - June 30, 2010	USAC initially denied funding for this bid, because Counter Trade was selected for Round 2 even though Accuvant scored higher in Round 1.
BD1386	Wireless network services and equipment	MSN Communications	July 1, 2009 - June 30, 2010	Missing some score sheets for Round 1.
BD1396	Messaging service	Computer Information Concepts, Inc	July 1, 2009 - June 30, 2010	The identity of the evaluators was not provided.
BD1420	Purchase and/or lease of personal computers with ongoing support	Dell	July 1, 2010 - June 30, 2011	Relied on tabulated scores. Score sheets do not agree to tabulated scores.
BD1422	Identity management analysis	Logic Trends, Inc	July 1, 2010 - June 30, 2011	Missing executive summary.
BD1425	Enterprise storage solutions like servers and other components, including the design, configuration and testing services for the main	EMC Corporation	July 1, 2010 - June 30, 2011	Relied on executive summary due to conflicting score sheets.
BD1492	Structured cabling	Avant Datacomm Solutions	July 1, 2010 - June 30, 2011	E-mail correspondence states that this bid was canceled and reissued or rescored after Avant Datacomm Solutions, Inc. did not win the bid. The identity of the evaluators was not provided.
BD1496	PBX maintenance	Qwest Communications	July 1, 2010 - June 30, 2011	Missing executive summary.
BD1520	Structured cabling	C-Comm, LLC	July 1, 2011 - June 30, 2012	Missing executive summary and score sheets.
BD1530	Structured cabling	Telesupport Services, Inc	July 1, 2011 - June 30, 2012	Missing executive summary. The identity of the evaluators was not provided.
BD1534	Maintenance for Cisco network switches and routers	MSN Communications, ISC	July 1, 2011 - June 30, 2012	RFP and score sheets support evaluation criteria besides pricing, but the executive summary says that the award was based on lowest pricing only.
BD1543	Network Perimeter Firewall Solution	ISC, Inc	July 1, 2011 - June 30, 2012	Missing some score sheets. The identity of the evaluators was not provided.
BD1567	Microsoft licenses	Dell	July 1, 2012 - June 30, 2013	Per Wendy Scheidegger this bid was based on lowest price and no scores were needed.

a. Alteration of scoring methodology

111. In addition, we found one instance for the CCTV Video Monitoring System bid ultimately awarded to LINX where the scoring process was altered to correct an error in methodology. Originally, the scoring was based on: 1) Cost Schedule (20%), 2) Technical - Operations (30%), 3) Technical - Integration (30%), and 4) Purchasing (20%).

112. The RFP required that the scoring be on Price (30%), Design and Solution (25%), Vendor and Manufacturer Experience, Support, and Maintenance (25%), Installation (10%), and Integration (10%).

113. In a November 4, 2010, e-mail James Allen, Interim Sr. Director provided a solution to this problem rather than rescoring on the correct criteria. However, this solution appears to have granted the most heavily weighted items to Bud Bullard and Robert Swain, each having 30% of the overall score. This scoring methodology was different than the initial scoring methodology, where each person had to score all of the criteria. What is not clear is whether they originally intended to assign certain criteria to individuals or whether the solution required this reassignment.

b. Lack of continuity in evaluation teams

114. Critically, we also found instances where there appeared to be a lack of continuity of scorers from Round 1 of the bidding process to Round 2. This occurred on BD 1379 and BD 1385, both won by ISC.

(1) Contract BD 1379

115. Contract BD 1379, a unified communications contract, was ultimately awarded to ISC for \$2,930,511, a cost significantly lower than the best and final bids of competitors MSN at \$5,050,077 and Dell at \$4,437,080. Initially, ISC bid at \$8,787,527, MSN at \$9,995,018, and Dell was consistent from Round 1 to Round 2 at \$4,437,080. In the Round 1 evaluation on this contract, ISC beat MSN by an average score of 73.10 to 70.10. In Round 2 scoring, Scott Hatfield, Allen Halingstad (Mr. Bullard's brother-in-law), and Doug Bushnell were added as evaluators. Mr. Hatfield scored ISC at 99, Mr. Halingstad scored ISC at 96, and Mr. Bushnell scored them at 88. These ISC scores were higher than the MSN scores of 94, 90, and 83 assigned by the same individuals, respectively. In addition, Round 1 evaluator Greg Birkett was dropped from scoring in Round 2. In Round 1, he had scored ISC at 82 and MSN at 90. Mr. Bullard scored ISC at 66 in Round 1 and 92 in Round 2. Overall, ISC's score increased from 73.10 in Round 1 to 91.67 in Round 2. MSN's score increased from 70.10 in Round 1 to 83.33 in Round 2. Excluding the scores of the evaluator dropped after Round 1 and the evaluators added in Round 2, ISC would still have received the highest score in Round 2 from the original

evaluators, with a score of 90.78 with MSN following with a score of 81.44. **Attachment 39** summarizes the scoring for Rounds 1 and 2 for BD 1379.

116. Our interviews cited above related to our evaluation of the scoring process included a discussion of the scoring process and in particular those individuals who scored these contracts. Interviewees stated that a significant number of contracts were being evaluated in the fiscal year ended June 30, 2010. Some felt that the time to consider the contracts was limited and that the process for preparing RFPs and evaluating responses was compressed. Overall, they offered valuable suggestions for improving the process, some of which we have incorporated in our recommendations below.
117. We have also calculated, at **Attachment 39**, the scoring for those individuals who scored in both the 1st and the 2nd Rounds, including Mr. Bullard. As demonstrated in those calculations, ISC would have received higher numerical scores after eliminating the non-common scorers.

(2) Contract BD 1385

118. The scoring for BD 1385, a local area network hardware contract was ultimately awarded for \$9,717,622 to ISC in January 2010. This amount is significantly less than the \$18,341,165 bid of the next highest scoring entity, MSN. In addition ISC's Round 2 bid is lower than its round 1 bid of \$10,164,671.³⁰
119. BD 1385 reflects a lack of continuity of scorers from Round 1 to Round 2. In the Round 1 evaluation, MSN scored 81.80 and ISC scored 74.40. In Round 2, Bud Bullard and Mark Lyons appear to have been added as evaluators. Bullard scored ISC at 87 and Lyons scored ISC at 95 points. In addition, Patrick Scanlan, who served as a Round 1 evaluator, was dropped from scoring in Round 2. In Round 1, he had scored ISC at 80 and MSN at 82. Finally, there was a dramatic improvement overall for ISC in the scoring for Round 2, with ISC's score improving from 74.40 to 94.33. MSN's Round 2 score totaled 83.50, compared to 81.80 in Round 1.

³⁰ There were two schedules that appear to identify Round 1 prices. In one schedule ISC's Round 1 price is \$10,164,671; in the other schedule ISC's Round 1 price is \$12,857,111. In either event, ISC's Round 2 pricing was lower than its Round 1 pricing.

120. During a phone interview with Jerry Clark of DPS regarding the scoring process, Clark stated that he had scored for Round 1. He subsequently sent us an e-mail that reflected an e-mail request from Mr. Bullard dated July 30, 2010. In this request, Mr. Bullard stated that he needed the composition of scores from Round 1 in order to provide documentation in response to a USAC E-rate Special Compliance Review Request. USAC was investigating DPS' decision to allow the offeror Counter Trade to be one of the five vendors to advance to Round 2 instead of offeror Accuvant, which had scored higher in Round 1.³¹ Only the records showing the aggregated scores for Round 1 were maintained by DPS after the contract award, and the Round 1 scores broken out for the individual criteria had to be reconstructed by DPS in order to satisfy the USAC Review Request. The review took place more than eight months after the bidders were scored in Round 1 - sometime in December 2009 (see **Attachment 40**). This e-mail chain is presented at **Attachments 40A and 40B**.

121. **Attachment 40** summarizes the results from Round 1 to Round 2. Based on our analysis, the ISC bid would have received the highest score in Round 2 with an average of 96 above a score of 81.75 for MSN had the new scorers been eliminated from Round 2. Due to the lack of contemporaneous scoring evidence for Round 1 scores, we are unable to accurately determine the scope of changes between the specific evaluation criteria for Round 1 and Round 2. However, the total scoring was retained by DPS, so we were able to determine the winning bidders from Round 1 to Round 2.

122. Because the only records kept regarding the individual components of Round 1 scores were the reconstructed scores presented in response to the USAC Review Request 8 months after the contract award, **Attachment 40** reflects the unreconstructed aggregate Round 1 scores. Failure to maintain documentation of the Round 1 evaluation process is a violation of E-Rate regulations, which provide that documents will be retained for five

³¹ According to the Executive Summary entities reaching Round 2 were: Dell, Qwest, CounterTrade, ISC, and MSN.

years related to any application for E-Rate funding.³² **Table 1** below summarizes presents a selected section of **Attachment 40**.

Table 1		
Normalized for Common Scorers		
	Round 1: Average of Common Scorers	Round 2: Average of Common Scorers
Qwest Communications	68.50	66.25
ISC, Inc.	73.00	96.00
MSN Communications	81.75	81.75
Dell	78.25	72.00
Pyramid Communications	28.25	
Xeta Technologies	34.00	
Counter Trade	26.50	45.00
Accuvant	43.00	

(3) Internal controls and communications from USAC

123.USAC noted deficiencies in the process for BD 1385 and sent a letter to DPS about it.

This letter, which also includes DPS' responses to USAC's queries, is presented at **Attachment 41**. USAC initially denied funding for BD 1385 because the highest rated-vendors were not selected to advance to Round 2 scoring.

124.BD 1379 and 1385 were two of the three large E-Rate contracts awarded by DPS in the fiscal year ended June 30, 2010. They represented a collective \$5.468 million in E-Rate funding and \$7.180 million in DPS funding for a total amount of \$12.648 million.

125.Because the apparent inconsistency in scorers on these two contracts may have led to manipulation of the bidding process in favor of a particular vendor, ISC, they represent a

³² 47 C.F.R. §54.504(a)(1)(x). Retention shall in be of any document from a prior year that supports current year until the 5 years from the last date of service. E.g., a contract from 2006 for recurring services used to support FY 2012 FRNs must be kept until at least June 30, 2018. *USAC Program Compliance 2012 Schools & Libraries Spring Service Provider Trainings*.

potentially serious deficiency in DPS' internal control processes. DPS's internal systems did not detect the potential deficiency in this evaluation process. Further, when the potential deficiency in evaluating BD 1385 was detected by USAC, Bullard, rather than the Purchasing Department, served as the primary point of contact with USAC in preparing the DPS response.

VII. CORRECTIVE ACTIONS

126. At the conclusion of DPS internal investigation, it terminated Bud Bullard for cause effective March 5, 2013.
127. After learning of these issues with respect to Avant and ISC, DPS took immediate action and suspended these two vendors. These suspension notices were issued on April 1, 2013 (See **Attachments 42** and **43** for Avant and ISC, respectively).
128. On May 24, 2013, DPS notified Avant that it was on probation and would be suspended from E-Rate work for 12 months (**Attachment 44**). In addition, before reinstatement, Avant would have to demonstrate that it had severed employment relationships with Vern Bullard and Shawn Haggerty. We understand that Vern Bullard left his position at Avant on January 16, 2007 and that, subsequent to receipt of the May 24, 2013 notice from DPS, Shawn Haggerty is no longer employed by Avant.
129. DPS notified ISC on May 20, 2013, that DPS would not be renewing the BD 1379 and BD 1385 contracts, which expire on June 30, 2013 (**Attachment 45**). On May 20, 2013, DPS also suspended ISC from performing any work for DPS for the next four years (**Attachment 46**).

VIII. RECOMMENDATIONS

A. OVERVIEW

130. The following recommendations are designed for DPS to establish transparency and consistency during the solicitation, bid, and evaluation process, with a focus on training and awareness for all employees involved in the procurement process. While Alvarez and Marsal (A&M) focused on improving processes for the DPS Department of Technology Services (DoTS) and DPS Purchasing Department, these recommendations are broadly applicable to any procurement process at DPS.

131. The Denver Public Schools system has in place a number of policies and procedures to ensure compliance with DPS and federal procurement guidelines. The Alvarez & Marsal (A&M) team discovered through conversations with DoTS employees that most never received formal training or information on these procurement policies, which are particularly important for E-rate (FCC's Universal Service Program for Schools and Libraries) contracts. Further, most DoTS employees recognized that procurement processes are not currently standardized. While a representative from the Purchasing Department is involved, the procurement process has traditionally proceeded as a collection of best practices that differ with each new procurement.

132. These recommendations suggest additional process controls internal to the Denver Public Schools and were developed using: publicly available DPS and Universal Service Administrative Company (USAC) procurement policies and procedures, information shared about the procurement process during interviews with proposal evaluators,³³ and government and industry best practices. These recommendations establish additional rigor in the internal evaluation process for E-rate contracts, providing staff with the appropriate training, tools, and documentation. This process ensures that all information surrounding the bidding process is laid out in a clear manner, so that in the case of future questions on specific contracts, information is easily discoverable.

133. Recommendations are listed in order of impact. An associated estimated level of impact, along with level of effort is provided for each recommendation.

1. Recommendation 1. Design and standardize scoring based on the USAC sample points-based bid evaluation matrix.

Impact: High Level of Effort: Medium

134. The DPS Purchasing Department recognized that there is no standard scoring matrix. Instead, different matrices were used depending upon: whether a particular contract was an E-rate contract, and the particular factors and weights were decided on by the procurement team.

³³ The list of interview questions is provided at the end of this document.

135. Denver Public Schools should consistently use a standard evaluation matrix, based on the USAC sample points-based bid evaluation matrix, for each round of scoring by evaluators. Two sample matrices are provided on the next page below. The first is a Round 1 evaluation, showing ABC Inc. as the winning bidder with 91 points. The second matrix shows the breakdown for 91 points for ABC Inc., with each individual evaluator's scores.

136. A future matrix designed by the DPS procurement department should at a minimum include the following criteria:

- a. The cost factor must be weighed higher than any other individual factor. From USAC guidance for E-rate contracts, the price of the eligible goods and services must be the primary factor or most heavily weighted overall in any tier. In the sample, the cost factor is weighted at 40 out of 100 points.
- b. The factors and corresponding weights should be consistent through subsequent rounds of evaluation.
- c. The total points assigned to each factor, each bidder's (service provider's) total points, as well as a breakdown by factor, should be clearly presented in the matrix. A second layer of information should provide how each evaluator scored the bidder. This is shown in the second matrix below.

137. As for the bid scorers, we found that, for the most part, employees recalled staying through the entire evaluation process, and those evaluators typically matched the original authors of the RFP. The most likely reason for the addition or removal of an evaluator was due to schedule conflicts, as the RFP process requires a significant time commitment. However, in one case, we found that an evaluator was removed in Round 2 by a supervisor (related to our investigation).³⁴ Supervisors clearly should not be allowed to remove an employee from the evaluation process without substantiating the action. The evaluation team should remain consistent through all evaluation rounds; if an

³⁴ Greg Birkett was dropped from scoring BD 1379.

evaluator changes between rounds, this should be noted and the reason should be recorded.

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Sample Evaluation Matrices

138. The first matrix shows a Round 1 evaluation, with ABC Inc. the winning bidder at 91 points. The second matrix shows the breakdown for 91 points for ABC Inc., with each individual evaluator's scores.

Round 1 Evaluation³⁵				
January 1, 2013				
		Average Score From Evaluators		
Factors	Total Points Available	Vendor 1 ABC Inc.	Vendor 2 DEF Inc.	Vendor 3 GHI Inc.
Cost of eligible goods and services	40	35	30	35
Experience	20	19	15	15
In State Preference	15	15	15	0
Project management expertise	25	22	20	10
Total Points	100	91	80	60
Vendor 1, ABC Inc. is the winning bidder, with an average score from evaluators of 91 out of 100.				

Round 1 Evaluation: Vendor 1 – ABC Inc.					
January 1, 2013					
		Scores From Individual Evaluators			
Factors	Total Points Available	Average Points	Evaluator A 33%	Evaluator B 33%	Evaluator C 33%
Cost of eligible goods and services	40	35	40	35	33
Experience	20	19	18	19	17
In State Preference	15	15	15	15	13
Project management expertise	25	22	24	22	22
Total Points	100	91	97	91	85

³⁵ This sample bid evaluation matrix is based off the USAC-provided matrix at:
http://www.usac.org/_res/documents/sl/pdf/samples/samples-checklist-vendor-selection-templates.pdf

Vendor 1, ABC Inc., scored an average of 91 points from three evaluators.
Each of the three evaluators was weighted equally (33%).

2. Recommendation 2. Expand training to all bid evaluators in coordination with the DPS Purchasing Department.

Impact: High Level of Effort: Medium

139. Of the set of DPS employees A&M interviewed, only one had received recent training that reviewed the Do's and Don'ts of the E-rate competitive bidding process. This particular training titled "Competitive Bidding: Rules and Compliance" was offered by the Colorado Department of Education ("CDE") on April 24, 2013 and covered comprehensively the federal regulations governing those involved in the E-rate procurement process, including but not limited to:



Figure 1. Slide 2 from Colorado Department of Education Presentation April 24, 2013

- Conflicts of interest
- Vendor relationships
- Gifts and donations
- Price as the primary evaluation factor

140. A&M recommends that similar training based on USAC-provided guidance be mandatory for all staff involved with the procurement process, not limited to just Purchasing Department employees. Many of the technical experts tasked as proposal evaluators felt that they did not need the in-depth training given to the Purchasing Department, but were receptive to more general procurement training similar to the CDE-delivered training.

141. If possible, A&M recommends that DPS deliver training to all staff involved in the bidding process, and to all staff who serve as evaluators. This training can be provided by CDE or some other authoritative training organization. Employees should also receive

refresher training each year, highlighting any changes in guidelines from the past year. Particularly, training should emphasize the E-rate program guidance:

No employee can receive gifts worth \$20 or more, or exceed \$50 from one source per year.

142. This is a firm requirement for those involved with E-rate contracts, and is widely adopted in the federal government. We recommend that this policy be applied to all DPS contracts.

143. To supplement this training, the DPS Purchasing Department representative should ensure that at the beginning of the RFP process, everyone on the procurement team is operating from the same guidelines by briefly providing an overview of procurement guidelines. Recommendation 5 on the next page further outlines that training should also inform employees of the appropriate channels to use in dealing with conflicts of interest or procurement irregularities; this should be reiterated by the Purchasing Department representative.

3. Recommendation 3. Hold an internal meeting for contracts valued at more than \$5 million, before the procurement process begins.

Impact: High Level of Effort: Minimal

144. The purpose of this meeting is to complete a procurement kickoff for large contracts. Large contracts above a certain threshold should trigger additional scrutiny and review. The figure of \$5 million is based on the value of the two contracts with questions regarding scoring, which totaled \$22.366 million including E-rate and DPS funding. DPS may choose an alternative threshold after considering the cumulative burden on staff time.

145. This meeting presents an opportunity for communication between the procurement office and the associated office which receives the contract's deliverables. For E-rate contracts, this will include a meeting with DOTS employees.

146. During this meeting, the attendees will:

- a. Identify and document the individuals involved in the evaluation process, including their names and titles.
- b. Determine the factors and corresponding weights for evaluation.
- c. Identify and document all potential conflicts of interest and seek approval or guidance from Counsel's office.
- d. Document any deviations from the usual procurement process. For example, if cost is not the highest weighted factor, or if the evaluators change between review rounds.
- e. Retain the meeting notes, attendee list, and any resulting documents as part of the procurement process record retention.

4. Recommendation 4. Adopt a record retention standard for all vendor selection documentation.

Impact: Medium Level of Effort: Medium

147. USAC states that, although not mandatory, the keeping of records is helpful if information is requested on a particular bidding process. A summary of guidance is:

148. All vendor selection documentation is to be retained, including: winning and losing bids, correspondences, memos, bid evaluation documents, etc. The requirement is for 5 years from last date to receive service.

149. We strongly recommend a system in place for DPS to automatically archive files for legal and audit purposes, as well as knowledge management for future procurements. As a best practice, most federal agency procurement offices automatically archive all e-mails to comply with the Freedom of Information Act (FOIA), with some automatically backing up any files saved on work computers. Through this archival, any potential errors or inconsistencies in scoring can easily be identified following a keyword search of the documentation.

150. Recognizing that an e-mail archiving system would place additional costs on DPS, we recommend in the interim that DPS adopt a shared drive system where all procurement files are organized into a folder structure that can be accessed. The shared drive system requires diligence and a time commitment from all individuals involved in the

procurement process. Ideally, all deviations from standard procedure should be documented, including: required supporting contract documentation is not completed, additions and subtractions of factors, changes to the weights of factors or evaluators' scores, and any notes (e.g., If a particular vendor is disqualified or removes themselves from consideration). Score sheets should have a place for evaluators to print, sign, and date their final score sheets for each round of scoring. These signed score sheets may be then scanned and/or put in a binder for record retention.

151. Through our interviews, our understanding is that the DPS Purchasing Department will begin transition to a new procurement system (Lawson) in July, which may meet some of the records retention needs outlined above. This new system may transition many of the manual, paper processes like vendor submission of proposals to digital processes instead. Accompanying this new system will be training for Purchasing Department employees as well as the opportunity to work with DoTS on creating new online training materials. As DPS begins planning next steps to implement new policies and procedures, the timing of the Lawson procurement system presents an ideal opportunity to announce changes to DPS procurement policies and procedures.

5. Recommendation 5. Establish a channel for reporting conflicts of interest or procurement irregularities to the DPS Purchasing Department or the Office of General Counsel.

Impact: Medium Level of Effort: Low

152. When asked during A&M interviews, "If you ever came across a conflict of interest or found an irregularity with the procurement process, would you know who to go to for a resolution?" employees responded with differing answers: their direct manager, the procurement department representative, and DPS' office of the General Counsel. Most employees showed an understanding of conflicts of interest and the need and expectation to recuse oneself from the process if a conflict existed. However, none of the employees A&M interviewed who were involved with E-Rate contracts directly received guidance on legal or ethical aspects of procurement.

153. DPS policy should prescribe individuals or offices that are the official points of contact for any procurement-related questions. Employees should also feel that they can go to ask questions in confidence, without fear of retribution. These resources should be

provided at the conclusion of any training offered by DPS and also be provided by the Purchasing Department representative throughout the procurement process.

IX. CONCLUSIONS

154. As described in our analysis above, our procedures have disclosed evidence that Mr. Bullard engaged in violations of E-Rate and DPS regulations and policies and procedures related to the receipt of gifts or other things of value. Our analysis further disclosed some cases in which DPS personnel may have taken inconsistent approaches to evaluating proposals, in one case by altering the published scoring methodology, in two cases by changing the composition of the scoring team from Round 1 to Round 2 of the evaluation, and in several cases by failing to maintain adequate records.

155. We have provided recommendations to DPS that, if implemented, will strengthen its procurement policies and procedures.

Respectfully Submitted,

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Attachment 9

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February 26, 2013

Ms. Johnnay Schrieber
Associate General Counsel
Universal Service Administrative Company
2000 L Street, N.W., Suite 200
Washington, DC 20036**Confidential Treatment Requested by Denver Public Schools****Re: Denver Public Schools Investigation Regarding Schools and Library Program Gift Rule**

Dear Ms. Schrieber:

Denver Public Schools ("DPS") has asked me to contact you regarding an internal investigation it launched promptly upon learning of alleged violations of 47 C.F.R. § 54.503(d). Information about the alleged rule violations surfaced recently as DPS began investigating claims by certain current and former employees that an employee of DPS with responsibility for E-rate matters had accepted gifts from vendors to DPS in violation of DPS procurement policies. As the investigation unfolded, DPS discovered that some of the allegations involved E-rate service providers, and that an additional DPS employee may have also accepted gifts in violation of Section 54.503(d).

As you are aware, Section 54.503(d) prohibits E-rate service providers from providing certain gifts or items of value to employees of school districts with responsibilities under the E-rate program. Although DPS cannot indicate at this early stage when its internal investigation into possible violations of this rule will be completed, it now believes, based on its preliminary work to date, that two employees involved in the E-rate program, Bud Bullard, Director of the DPS Department of Technology Services, and Alexander Sund, Manager, DPS DataCom Services, who was directly supervised by Mr. Bullard, may have accepted gifts from E-rate service providers in violation of Section 54.503(d). Mr. Bullard and Mr. Sund have both been interviewed by DPS and placed on administrative leave pending completion of DPS's investigation.

As noted above, these allegations only surfaced recently, and, although DPS is still conducting its internal investigation, it believes it has gathered sufficient information at this point to alert USAC to these issues. While DPS's internal investigation of this matter is ongoing, it is also in the process of engaging an outside firm to conduct an independent investigation.

Based on DPS's efforts thus far, which have included interviews with ten current and three former employees, DPS has uncovered allegations that Mr. Bullard engaged in 2011-2012 in several activities that violate Section 54.503(d), including receiving several meals with values exceeding the applicable gift limit and attending a number of sporting events paid for by an E-rate service provider. He also allegedly attended E-rate service provider-sponsored golf outings without paying for such activities. There are additional allegations that E-rate service providers purchased or subsidized consumer goods, and, potentially, vacations, for Mr. Bullard during the period.

With respect to Mr. Sund, allegations have surfaced that Mr. Sund participated in several meals paid for by E-rate service providers the value of which exceeded the applicable gift limit, and had conference expenses paid for in violation of Section 54.503(d), over roughly the same 2011-2012 timeframe.

In his role at DPS, Mr. Bullard has been involved in the filing of E-Rate applications for DPS, and is listed as the authorized contact person on DPS's Form 471 E-Rate applications between 2000 and 2011. Mr. Sund is listed as the authorized contact person on DPS Form 471 applications submitted in 2012. At this point, the allegations against Mr. Bullard and Mr. Sund center mainly on gifts provided by two E-rate service providers: Avant Datacomm Solutions, Inc. (Spin #: 143024524) and ISC Corp. (Spin #: 143012405). Because DPS's internal investigation is still on-going and an independent investigation will be initiated soon, DPS plans to alert USAC as to the identity of any additional E-rate service providers that surface as the investigations progress. In the meantime, out of an abundance of caution, DPS provides in Attachment A the names and SPIN numbers of all of its approved E-rate service providers as of the date of this letter.

DPS understands that USAC will need to conduct its own review of these allegations, and commits to cooperating fully in such a review. DPS further plans to continue its own internal investigation, as well as its engagement of the outside independent investigator, and will maintain open lines of communication with USAC as additional relevant information becomes available. Please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ari Q. Fitzgerald", with a long horizontal line extending to the right.

Ari Q. Fitzgerald

Partner
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AQF/gs

Attachment

cc: John Kechriotis, Chief General Counsel, Denver Public Schools
David Capozzi, General Counsel, USAC
Jay Keithley, Deputy Investigator General, FCC OIG
Jeffrey Dickey, Attorney, FCC OIG

Appendix A
DPS E-Rate Service Providers

Gaggle.net, Inc., SPIN #: 143024051

CenturyLink Qwest Communications Company, LLC, SPIN #: 143001157

Comcast Business Communications, SPIN #: 143003990

Graybar Services, Inc., SPIN #: 143031183

Shoutpoint, Inc., SPIN #: 143032646

ISC Corp., SPIN #: 143012405

MSN Communications, Inc., SPIN #: 143013080

Verizon Wireless, SPIN #: 143000677

AT&T Mobility, SPIN #: 143025240

Nextel West Corp, SPIN #: 143000893

USA Mobility, Inc., SPIN #: 143018525

National Network Services, SPIN #: 143004371

Avant Datacomm Solutions, Inc., SPIN #: 143024524